

### OFFICIAL MEETING NOTICE & AGENDA

of a Village Board, Commission, Committee, Agency, Corporation, Quasi-Municipal Corporation, or Sub-unit thereof

Meeting: **BOARD OF TRUSTEES** 

Members: White {c}, Berger, Ermeling, Jaeger, Porlier, Schuster, Ziegler

Location: Municipal Center (5500 Schofield Ave); Board Room

Time: Monday, April 21, 2014 @ 6:00 P.M.

#### AGENDA ITEMS FOR CONSIDERATION (All items listed may be acted upon)

#### 1. Call to Order.

- 1.1 Pledge of Allegiance.
- 1.2 Roll Call of Attendance.
- **2. Comments from the public** This period is an opportunity for members of the community to come before the Trustees and present to them their requests or concerns.
- **3. Communications** All standing and non-standing committees, commissions or boards. Acknowledgement of meeting minutes and place on file with the Clerk.

#### 4. Consent Items.

- 4.1 Recommendation to approve prior meeting minutes of 04/07/2014.
- 4.2 Recommendation to approve submitted vouchers.
- 4.3 Recommendation to approve operator licenses.
- 4.4 Recommendation to approve the request to move the Residential Business Permit #RBUS-3-14-5047, for Lynn Consolver-Barttelt, ABC Family Childcare from 6103 Quentin St. to 5507 Zadra St.
- 4.5 Recommendation to approve Resolution VW-14-11 Resolution approving the 50' wetland setback restrictions and the 50' building setback restrictions along Progress Way to be removed from the Recorded Plat of Weston Business and Technology Park South.
- 4.6 Recommendation to approve an ordinance amending Article IX. Signs, Section 94.157, of the Municipal Code Relating to "Electronic Message Unit Signs."
- 4.7 Recommendation to approve and ordinance repealing Section 94.200 of the Zoning Code Relating to "OFP Floodplain overly district" and amending and recreating a new Section 94.200 of the Zoning Code named "OFP Floodplain overlay district."
- 4.8 Recommendation to approve Wisconsin Recycling Grant Award from State of Wisconsin.

#### 5. Reports from Staff

- 5.1 Clerk/Employee Resources Manager
- 5.2 Fire Chief
- 5.3 Parks Superintendent
- 5.4 Plan/Dev Director

- 5.5 Police Chief
- 5.6 Public Works Director
- 5.7 Finance/Assessor
- 5.8 Technology Director

#### 6. Business Items for Consideration.

- 6.1 Recommendation to approve Site Plan Application #CSIT-3-14-1433/ERU-3-14-1434, for WI Baseball Academy, per the specifications, conditions, and limitation of the submitted staff report
- 6.2 Convene into closed under Wis. Stats §19.85 (1) (e) to deliberate whenever competitive or bargaining reasons require a closed session to further consider WI Baseball Academy's offer to purchase land from the Village of Weston in Business Park South and to further consider the negotiation strategy for the sale of the land in Business Park South.
- 6.3 Remain closed under Wis. Stats §19.85 (1) (e) to deliberate whenever competitive or bargaining reasons require a closed session to further consider TJH Real Estate LLC's offer to purchase land from the Village of Weston in Business Park South and to further consider the negotiation strategy for the sale of the land in Business Park South.
- Remain in closed session under Wis. Stats §19.85 (1) (e) to deliberate whenever competitive or bargaining reasons require a closed session to consider a counter-offer from Commerce Real Estate, LLC regarding the Board of Trustees request to repurchase 7305 Commerce Drive, Business Park North Lots #15 and #16.
- 6.5 Remain in closed session under Wis. Stats §19.85 (1) (e) to deliberate whenever competitive or bargaining reasons require a closed session to consider an offer to purchase land from the Village of Weston in 7010 Commerce Drive, Business Park North Lot #1.
- 6.6 Reconvene into open session and take action on closed session item, if necessary.
- **7. Reports from Administrator** This period is an opportunity for the Administrator to present both oral and written reports before the Board of Trustees regarding activities of the municipal agency.
- **8. Remarks from President/Trustees** This period is an opportunity for members of the Board of Trustees to speak and ask that their comments be included in the record of the Village. No motions will be made, and no action will be taken.
- 9. Adjourn.

This notice was posted at the Municipal Center and faxed to the Wausau Daily Herald newsroom on 04/17/2014 @ 4:00 p.m.



Meeting: Property & Infrastructure Committee Meeting Minutes

Date/Time: Monday, March 17, 2014 @ 4:45 p.m.

Location: Village Hall (5500 Schofield Avenue) – Board Room

Members present were Mark Porlier, Jon Ziegler, Neal Adams, John Jensen, and Jeff Belott. Also present were DPW Keith Donner, Michael Wodalski, Daniel Guild, Loren White, Fred Schuster, Scott Berger, Hooshang Zeyghami, and Donna Van Swol.

- 1. Call to Order. Meeting was called to order at 4:45 p.m. by Chairman Porlier.
- 2. Acknowledgement of meeting notice compliance with Wisconsin Open Meeting law.
- 3. Comments for the public on issues related to property and infrastructure. None.
- 4. Consent Items.
  - 4.1 Approval of Previous Meeting Minutes from 3/03/2014.

\*M/S/P Ziegler/Belott to approve the minutes for the meeting of March 3, 2014 as recorded.

4.2 Water/Sewer Permit LCON-3-14-5024.

\*M/S/P Jensen/Belott: to approve water/sewer permit LCON-3-14-5024.

- 5. Business Items.
  - 5.1 Recommendation to Adopt A Resolution Approving Village Staff Policy Statement for Mailbox Placement and Replacement, Resolution No. VW-14-09. Wodalski reported the current policy is if a mailbox is hit by a snowplow we will reimburse the resident up to \$25 for a replacement mailbox. The Village would also provide a temporary mailbox for the remainder of the winter if needed. The policy was modified to reimburse up to \$50 as suggested at the previous meeting. The policy shows how to install a mailbox properly and helpful hints for installation.

\*M/S/P Ziegler/Adams: to recommend to the Village Board of Trustees to adopt Resolution VW-14-09, A resolution approving village staff policy statement for mailbox placement and replacement as outlined.

5.2 Discussion of Cold Weather Water Distribution Systems Issues. Donner reported there have been two areas with frozen sewer one on Ross Avenue between Timber and Corozalla. A private contractor was hired to assist on this on a Saturday at a cost of about \$4,000. The other frozen sewer was a shallow section on Camp Phillips Road. Both areas are being monitored. We had a sewer back up on Lemke Avenue reported on March 5. The back-up appears to have been caused by some asphalt chunks left down in the sewer from a repaving project done a couple years ago. The asphalt chunks are now out of the flow line inside a manhole and will

need to be removed when we get an opportunity. Donner added this isn't an uncommon problem to have a contractor adjusting manholes and drop a casting into a manhole or push gravel into a manhole while grading. We do have responsibility to make sure our utilities are protected when someone else is doing construction work in street right-of-way. There wasn't an inspector continually on site while this work was being completed. Donner will make Rothschild aware of the issue.

A water main is frozen on Bernard Avenue between Aspen Street and Birch Street. We arranged for a hydro-excavator to "dig" through the frost. This was the best option for excavating since there was a gas main very close to our water main. The water main was thawed for some distance. When the main was re-pressurized it was found to have a break in the main. We have isolated the break for now. After the frost is out of the ground we will discuss repairing or replacing the water main. This water main froze about twenty years ago in the same area.

We had one sewer back-up on Everest Avenue caused by a frozen sewer service. The customer's sewer service went under their driveway.

We put out another press release reminding people to continue to run their water for freeze up protection. We have had a number of re-freezes that we have been responding to. There have been about 130 water freeze ups and about 15 re-freeze ups. We have been utilizing some outside contractors to dig, hydro excavate, or perform hot water thawing.

With the clear water being run for freeze prevention the additional flow is going down the sanitary sewer and to the Rib Mountain Metropolitan Sewerage District treatment facility. We expected to be getting a higher bill for wastewater that is coming to their treatment plant. At their last meeting, the RMMSD Board unanimously approved Ken Johnson's recommendation to average the past five billings for BOD, SS, and flow for Weston, Rothschild, and Mosinee where more water run for freeze prevention for the February bills. Donner wasn't sure what would happen with March billings.

Included with the meeting materials was a copy of an article by Ed Wodalski (Michael's father) has been prepared for a trade publication that he works with. He used Weston and other communities as a reference for the unusually cold winter and the impacts it has had on utilities.

5.3 Discussion of Flood Response Policy and Procedures. Donner reported he was putting this issue out there for feedback from the Committee on how they would like staff to prioritize resources in a flood response. Police and Fire are the likely first responders in most cases. Public Works staff does get involved in these situations. There are areas that are susceptible to flooding and some time was spent reviewing the "Jelinek Creek" (Colonial Gardens to Kennedy Park) situation as an example. Donner explained there have been times in the past where Public Works has been asked to devote resources to private property protection. Donner feels the Village needs to prioritize making sure public infrastructure is functioning properly and not threatened. We should develop a policy about any assistance the Village would provide for private property such as making sand bags available, filling sand bags, etc. Some sample policies were included in the packet. Critical infrastructure would be the bridge on Ross Avenue and the side by side culverts on Kmiecik if they were washed out some residents could potentially be cut off. Porlier questioned whether the bridge on Ross Avenue could take impact and whether we should consider having it inspected. Donner said it is something that would be watched in the event of high level of water or ice damming but the bridge is not considered susceptible to scour. The Committee felt the Village should focus its resources on public infrastructure and the policy should articulate limited assistance for private property.

5.4 Discussion of Regulation Development for Phosphorous Discharge Limits (Total Maximum Daily Loading or TMDL) on Lower Wisconsin River. Wodalski reported tomorrow is the deadline for public comment to the DNR. Schoen Engineering Services has been contracted by the North Central Wisconsin Stormwater Coalition to provide input for the phosphorus regulation. Curt Schoen said the DNR allowed the 10 top highest runoff events to not be used in the modeling. These happen during the spring runoff each year right after the farmer's spread manure over their fields. They had this large phosphorous loading then they threw out the impact of the agricultural fields which skews the data towards municipalities. The phosphorous regulation is expected to have impacts to wastewater treatment charges. It could also affect water treatment since the Water Utility adds blended phosphate to the water. The Sewer Utility could charge the Water Utility for phosphorus reduction. This is the first TMDL study the DNR is completely doing in house. The DNR is asking for feedback from the communities.

#### 6. Reports from Staff.

- **6.1 Report from Public Works Director K Donner.** Donner reported we are planning to meet this Wednesday with Attorney Yde, Tim Vergara, and Rothschild's Attorney related to some ordinance issues and service to Foremost to get the ideas out on the table. The Vac truck is done and will be picked up tomorrow. Asplundh is in the Village doing some clearing on their easements south of Jelinek Avenue to the Village boundary.
- **6.2 Public Works Director M Wodalski.** Wodalski asked the committee if they had a feeling of how many quotes they would like to receive on capital equipment purchases. The committee was confident in his judgment as to how many quotes we should get. Last week the street operations staff was scraping a lot of streets removing built up snow pack.
- 6.3 Report from Administrator D Guild. Guild commented the staff has been having many discussions on lessons learned regarding this unusual winter particularly how we communicate to the residents when we need to address the community as a whole. Staff is working on a comprehensive communication plan about how we communicate to residents, what the schedule is, what products we use, etc. This will be brought back to the committees as to how we will implement our strategy for communication to the public about issues. One of the pieces will be for public education letting residents know how they need to "plug in" to stay informed.
- 7. Remarks from the Property and Infrastructure Committee members. None.
- **8. Set next meeting date and discuss items for next agenda.** The next meeting date will be Monday, April 7, 2014 at 4:45 p.m.
- 9. Adjourn.

Porlier adjourned the meeting at 5:46 p.m.

Submitted by,

Donna Van Swol Utility Clerk



# OFFICIAL MEETING MINUTES SOUTH AREA FIRE & EMERGENCY RESPONSE DISTRICT Board of Directors Regular Meeting Tuesday, March 11, 2014 @ 6:00 P.M.

#### 1. Call to Order

The regular meeting of the South Area Fire and Emergency Response District Board of Directors was called to order at 6:00 PM by SAFER Board Chairman Loren White.

MEMBERS PRESENT – Loren White, Village of Weston President; Barb Ermeling, Village of Weston Trustee; Fred Schaefer, Rib Mountain Supervisor; Keith Langenhahn, Town of Marathon Chairman; Paul Wirth, SAFER Fire Chief and Steve Meilahn, SAFER Deputy Fire Chief. Daniel Guild, Village of Weston Administrator; Gaylene Rhoden, Town of Rib Mountain Administrator and Village of Weston Finance Director, John Jacobs were also present. Allen Opall, Rib Mountain Chairman was absent and excused. Four audience members were present.

2. Comments from the public on issues related to the SAFER District There was no public comment or correspondence.

#### 3. Consent Items

a) Approval of prior meeting minutes from Tuesday, 2/11/2014.
 Motion by Langenhahn/Ermeling to approve prior meeting minutes from Tuesday, February 11, 2014. Motion carried unanimously.

#### 4. Business Items

- a) Discussion and action on Employee Handbook.
   Chief Wirth reported a final product will be ready for the April meeting.
- Discussion and action on vacation, sick leave and other time off for full time employees of SAFER for 2014.
   Motion by Schaefer/Langenhahn to approve vacation, sick leave and other time off for
  - Motion by Schaefer/Langenhahn to approve vacation, sick leave and other time off for full time employees of SAFER for 2014 as presented. Motion carried unanimously.
- c) Discussion and action on American Heart Association (AHA) classes sponsored by and for SAFER.
  - Motion by Ermeling/Schaefer to approve AHA classes sponsored by and for SAFER. Motion carried unanimously.
- d) Discussion and possible action lease agreement between SAFER and Town of Rib Mountain.
  - Motion by Schaefer/Langenhahn to approve lease agreement between SAFER and Town of Rib Mountain. Motion carried unanimously.

- e) Discussion and action for Alliance Collections Agreement. *Motion by Schaefer/Langenhahn to approve Alliance Collections Agreement.*Motion carried unanimously.
- f) Discussion and action on funding and/or purchase of ambulance in 2014. Chief Wirth stated the maximum cost of a new ambulance is approximately \$216,000 with a trade-in and delivery in about 6-8 months. White recommended pursuing an RFP. Several payment options were discussed. Schaefer recommended the specs be written, go out for an RFP, and then come back to the board with a recommendation. In the meantime, continue to discuss payment options with Weston.

  \*\*Motion by Schaefer/Ermeling to pursue RFPs for the purchase of an ambulance in 2014.\*\* Motion carried unanimously.

#### 5. Staff Reports

- a) Reports from Fire Chiefs
   Chief Wirth briefly reviewed his report included in the packet.
- b) Reports from Administrators No reports from Administrators
- **Remarks from the Directors** (No motions will be made, and no action will be taken related to policy affecting the S.A.F.E.R. District as a result of this agenda item).

  No remarks from the Directors.
- 7. Set next meeting date and discuss items for next committee agenda. Next meeting date set for Tuesday, April 8, 2014.
- 8. Adjourn

  Motion by Langenhahn/Schaefer to adjourn at 6:53 p.m. Motion carried unanimously.

Prepared by Rhonda Christiansen on March 24, 2014 Presented for consideration to the Board of Directors on April 8, 2014.



Meeting of the: PLAN COMMISSION

Members: Loren White {c}, Mark Maloney, Tina Kollmansberger, Mike Stenstrom, Fred

Schuster, Dave Diesen, & Hooshang Zeyghami

**Location:** Weston Municipal Center (5500 Schofield Ave) – Board Room

Date/Time: Monday, April 14, 2014 @ 6:00 P.M.

#### **MINUTES**

#### 1. Call to Order

#### A. Roll Call of Commissioner Attendance

White called the meeting to order at 6:00 p.m. Present was: White, Kollmansberger, Stenstrom, Schuster, Diesen, and Zeyghami. Maloney was absent. Administrator Guild, Director of Planning & Development Higgins, Director of Public Works Donner, Building Inspector Tatro, and Recording Secretary Parker were also present. There were 6 audience members in attendance.

#### 2. Public Hearings

A. Open a hearing to public reaction relative to Application CU-3-14-1432, having been filed with the Clerk by Eric Greening, WI Baseball Academy, 2103 Dorie Lane, Mosinee, requesting a Conditional Use Permit to allow for an indoor sports training and recreation facility in an LMD zoning district

Eric Greening, 2103 Dorie Ln, Mosinee, was present in support. Greening explained how he went through the conditional use process last fall to allow him to get his business started and see how well the market in this area is. He was able to temporarily locate his business in the Weimer Bearing building in the Weston Business & Technology Park. His business has been going very well, and he is now ready to take this to the next phase, which is to construct their indoor training facility with turf space, batting cages, and make it a multisports facility. In order for them to operate their business here, they need to obtain a conditional use permit, as this property is zoned for light manufacturing and distribution. He explained they have a future plan to expand this facility on this property. The drawings they have submitted are for a proposed 110-foot by 170-foot building with plans to expand on the east side.

Zeyghami questioned if full site plans have been submitted. Greening explained to Zeyghami with this property being Village-owned, he submitted a preliminary site plan to begin the negotiations for the purchase of this property with the Village Board. He stated the last 3<sup>rd</sup> of their financing is with the SBA, and until they receive an accepted offer to purchase they cannot submit for the final financing with the SBA.

Greening explained to Schuster the current hold-up is the proposed exterior elevations do not meet the 60% brick requirement. They are trying to get an agreement on the design for the exterior of building.

Higgins explained to the Plan Commission the revised review process directed by the Village Board, when in negotiations with a buyer for Village-owned property. In these cases, since there is a chance the offer to purchase may not get approved, and considering the high monetary costs in submitting full site plans (ready for State approval), the Board has taken the position the potential buyer only needs to submit a preliminary site plan with proposed elevations and general site layout. This preliminary site plan needs to meet the requirements of the Zoning Code. Once the preliminary site plan receives Plan Commission approval, the Board would then use those plans and Plan Commission's recommendations in their negotiations for the offer to purchase. If the offer to purchase is then accepted and the sale goes through, the buyer would then apply for full site plan approval before the Plan Commission.

Higgins explained our zoning code requires the 60% brick, and the Village Board has been very clear that they want to see projects in our Business Parks with higher landscaping and meeting the 60% brick requirement.

Higgins also explained in this particular case, Greening's business use is only allowed in the LMD district by Conditional Use Grant. However, since this is only preliminary site plan review, and the conditional use permit should include any conditions the Plan Commission wants from the final site plan review, staff is recommending Plan Commission take testimony and discuss this hearing, then closing the hearing, but defer action until full site plan review occurs at an upcoming meeting. Higgins re-explained this conditional use permit is tied to the full site plan approval, however, the full site plan will not come in until after the offer to purchase is accepted.

Higgins explained per the new preliminary elevations she received today, the new material percentages shown are 0% brick on the east (expansion) side; 24% brick on the north side (40% EIFS/16% metal), 18% brick on south (40% EIFS/42% metal), and 28% brick on the west side (10% EIFS/60% metal). Higgins explained EIFS is only allowed as an accent material, and is not meant to be the primary material over brick. Stenstrom questioned that previously Plan Commission had a discussion and were okay with builders using other non-metal materials in making up that 60% requirement. Higgins confirmed this was the discussion that previously took place, however, staff was never directed to revise the zoning code to reflect this.

Higgins pointed out a sunset should be placed on the approval for the east elevation being brought up to code with the brick requirement. Stenstrom pointed out there are other businesses who were allowed a waiver of brick on their future expansion side, and no sunset clause was placed on those approvals. Higgins explained Applied Laser's recent site plan approval has a sunset clause. Higgins explained to Stenstrom then once the sunset date is reached and if the owner does not finish the expansion side to meet our code, staff would then start enforcement proceedings to get the brick placed on the building.

Schuster feels the 3 sides (north, south, and west) should meet the 60% requirement and other side should be completed within 5 years. Higgins wants to talk to Attorney Yde on if we can request securities or a bond to ensure the proposed build-out side is finished within the sunset date timeframe.

Greening stated he wants an aesthetically pleasing building also. However, as a business owner, he is in the position where he needs to look at start-up costs. He feels they have added architectural dimension to this building, and would like to come to some agreement on this. Greening explained block is a terrible insulator. Whenever block is used, they need to add insulation. He explained block (after adding in insulation costs) is at a rate of about \$12.00 - \$14.00 per square foot. The metal panels which come with insulation is at a rate of about \$4.00 per square foot. He explained his intention is not to put up a metal building, because he wants it to look nice as well. The cost for EIFS runs at a rate of about \$10.00 - \$12.00 per square foot.

Diesen suggested Greening work with staff to figure this out. Diesen feels we need to be consistent, but does not want this to become a deal breaker either.

Greening brought up his proposed sign and questioned if that could be used towards the non-metal calculation. Higgins explained the only way the sign would be used towards that is if the sign was molded into the EIFS (such as Sutton's building on Zinser Street where it is part of the building materials). Greening confirmed the overall percentages of non-metal to Stenstrom which were 58% on the south side (which Greening said they could work to bring that up to 60%), and north elevation is 40% (though they hoped to use their sign towards that percentage). He was not sure about the west side, though, as there is no road frontage there, and that side is 38% non-metal.

White commented if staff is to work this out with Greening, and they come to an agreement on 59 ½%, but then it goes before the Board who are holding to the 60% requirement, that it will be all for not.

Diesen would like him to work with staff, to try to get the materials as close to the 60% as possible, then if all parties are okay, staff could then forward to Village Board. Diesen commented they could also propose to the Board their plans to make up that 60% when the expansion occurs.

Diesen stated he does not want to see this project fail over a couple percentages of masonry. Higgins explained that there then needs to be a suggestion of a code change. Stenstrom questioned the use of EIFS. Higgins explained it can be used, but cannot be the predominant materials on the building elevations. There was further discussion on other non-metallic materials available and how we should not limit our code to a few specific types. Higgins pointed out a previous suggestion made was to make the building requirement to be no more than 40% metal siding.

Stenstrom suggested Plan Commission temporarily table this motion and during tonight's New Business, he will make a motion that staff bring to the next meeting an amendment to the code to allow other materials (such as EIFS) to count towards the 60%. Then by the time this site plan comes back for final review, EIFS will be an acceptable material on this building elevation. Diesen stated there are standards of no pole buildings. Stenstrom is okay with a sunset of 5 years on east elevation.

Higgins stated we need to continue with some type of brick requirement, or all we will get is metal buildings from here on out. Stenstrom agrees, but feels we also need to be flexible. Tatro commented there are other decorative wall panel materials we need to keep in mind. Stenstrom stated "non-metallic siding" might be the appropriate term.

Stenstrom does like the appearance of this building, and feels it matches what we are looking for in our future zoning code.

No one spoke in opposition.

B. Open a hearing to receive public reaction to consider an ordinance to amend Article IX. Signs, Section 94.157 (b)(5) Electronic Message Unit Signs of the Village of Weston Zoning Code

Higgins stated staff decided to update the sign ordinance with part of the language from the new code in regards to electronic message unit signs. She explained the differences. This still does not allow scrolling or flashing message board signs.

No one spoke in opposition.

C. Open a hearing to receive public reaction to consider an ordinance to repeal and recreate Article XI., Division 4, Section 94.200 OFP Floodplain Overlay District of the Village of Weston Zoning Code

Higgins stated as part of the new zoning code update, we are to provide the consultant our Floodplain, Shoreland, and Shoreland/Wetland ordinances. Our current floodplain ordinance was originally adopted back in 2010 and included the 2010 DNR model ordinance language and the updates for the 2010 FEMA maps. In 2012, there was a model ordinance change again by the DNR, so we are now updating this to match the DNR's ordinance. Our proposed ordinance still needs final approval by DNR and FEMA. Staff sent this to our DNR contact for their and FEMA approvals a few weeks ago. We have yet to hear back from them on any approvals. By getting all the approvals now, the most current ordinance can be included in our new zoning code update later this year.

No one spoke in opposition.

#### D. Close public hearings.

White closed the hearings at 6:43 p.m.

3. <u>Comments from the public on issues related to planning and zoning within the Village of Weston</u>

No comments.

- 4. Consent items for consideration
- A. Approve and place on file the previous meeting(s) minutes from the March 10, 2014, regular meeting.
- B. Approve and place on file sign permits, commercial certificate of occupancy/zoning permits, and certified survey maps approved by Planning & Development Director.

\*M/S/P Schuster/Kollmansberger: to acknowledge the consent items for consideration.

- 5. <u>Business Items for Consideration</u>
- A. Discussion and action on Director of Planning & Development's recommendation to defer action on Application CU-3-14-1432, having been filed with the Clerk by Eric

Greening, WI Baseball Academy, requesting a conditional use permit for the purpose of operating an indoor sports training and recreation facility in an LMD Zoning District until such time Plan Commission entertains the final site plan for approval.

i. Discussion and action on preliminary WI Baseball Academy site plan application #CSIT-3-14-1433/ERU-3-14-1434, and forward to the Board of Trustees in their determination of the offer to purchase price negotiation.

\*M/S/P Stenstrom/Schuster: to table CU-3-14-1432 until later in the meeting, after New Business.

- B. Discussion and action on Director of Planning & Development's recommendation to approve amending Article IX. Signs, Section 94.157 (b)(5) Electronic Message Unit Signs of the Village of Weston Zoning Code per the specifications, conditions, and limitation of the submitted staff report and forward to the Board of Trustees for their consideration
  - \*M/S/P Schuster/Diesen: to approve the amendment to Article IX. Signs, Section 94.157 (b)(5) Electronic Message Unit Signs of the Village of Weston Zoning Code.
- C. Discussion and action on Director of Planning & Development's recommendation to approve repealing and recreating Article XI., Division 4, Section 94.200 OFP Floodplain Overlay District of the Village of Weston Zoning Code per the specifications, conditions, and limitation of the submitted staff report and forward to the Board of Trustees for their consideration
  - \*M/S/P Zeyghami/Diesen: to approve ordinance repealing and recreating Article XI., Division 4, Section 94.200 OFP Floodplain Overlay District.
- D. Discussion and recommendation from the Director of Planning & Development to approve Residential Business Permit #RBUS-3-14-5047, for Lynn Consolver-Barttelt ABC Family Childcare, moving from 6103 Quentin Street to 5507 Zadra Street Higgins confirmed there have been no issues with her current permit. This new location will be inspected and licensed by the State. Staff requests receiving a copy of the new license.
  - \*M/S/P Diesen/Kollmansberger: to approve RBUS-3-14-5047, per staff recommendations. Q: Schuster confirmed this site location will be okay with its proximity to the Weston Elementary School. Higgins stated State will re-inspect to be sure up to code. Motion carried.
- E. Discussion and recommendation from the Director of Planning & Development to approve Site Plan Application CSIT-3-14-1427/ERU-3-14-1428, for Main St Homes Building Addition, at 5309 Schofield Avenue, per the specifications, conditions, and limitation of the submitted staff report
  - Higgins stated this is the property previously occupied by River Valley Bank. Main St. Homes, which is owned by Heath Tappe, is proposing to enclose the drive-thru and to convert it into a design studio. Higgins explained this is actually two properties, which staff learned the building was over the property line. The applicant submitted a CSM to move the property line to bring the building within setback requirements. Tappe owns both parcels at this time. She explained they will remove the pavement on the second lot and

will remove the non-conforming shed on the property. Staff recommends a contingency on this site plan that the CSM be recorded prior to any building permits issued. They are proposing to continue the elevations as they are, with vinyl siding on the south elevation. The north, west, and east sides of this building have full brick. With their proposed CSM, this building meets all setbacks. Prior to final occupancy, the pavement on the second lot will need to be removed or an access easement agreement signed. She explained Tappe has plans to build a larger building for construction equipment on this site in the future.

\*M/S/P Diesen/Zeyghami: to approve CSIT-3-14-1427/ERU-3-14-1428, per the staff submitted staff report, per staff recommendation. Q: Diesen commented he is not sure he cares for the idea of a future storage being built on this site. Motion carried.

F. Discussion and recommendation from the Director of Planning & Development to approve Site Plan Application CSIT-3-14-1430/ERU-3-14-1431, for Lincoln Contractors, 6652 County Road J, per the specifications, conditions, and limitation of the submitted staff report

Bill Aubrey, of Hoffman Planning, Design and Construction, PO Box 8034, Appleton, was present representing this site plan. He explained there are two buildings being planned to be constructed with this project, a sales and service building and a cold storage building.

The area of this property where equipment will be stored will be fenced by a privacy fence. This business rents to the public and contractors. He pointed out a couple of easements on this site, one for the central driveway on Highway J, and the other for the drainage pond between this property and Schierl's. Higgins explained Rettler Corporation designed the stormwater plans for both this site and the Schierl's site new The Store convenience and gas station, and drainage will not be an issue.

Higgins explained they are requesting a waiver from the Plan Commission to allow gravel surfacing in the screened area, which is completely screened with privacy fence. She pointed out the standard items to be addressed prior to final occupancy, which are listed in the site plan report. They meet the 60% brick requirement for their front elevations, and all other elevations are surrounded by an 8-foot tall privacy fence.

\*M/S/P Schuster/Stenstrom: to approve CSIT-3-14-1430/ERU-3-14-1431, per staff the submitted staff report.

G. Discussion and recommendation from the Director of Planning & Development to approve CSIT-3-14-1435, for Weston Center Architectural Review at 4002 Schofield Avenue – sign fascia enhancement only

Higgins explained since the time this item was placed on this agenda, she has spoken to Lokre. Lokre wanted to withdraw the façade change to the awnings, which have been changed back to the original green color late last week. Higgins explained Family Dollar still wanted this run by Plan Commission, though Lokre did not have a need. There is still a façade change being requested (the proposed sign), which we consider to be insubstantial.

\*M/S/P Diesen/Kollmansberger: to approve the insubstantial façade change proposed for the Family Dollar building sign and place in the OPD project file.

\*M/S/P Diesen/Stenstrom: to deny the change in awning colors (leaving them as green).

#### H. Discussion and recommendation from Director of Planning & Development to request Lokre Development to complete a master sign plan for Weston Center Development

Higgins explained we ran into issues with the Weston Center monument sign. Family Dollar initially proposed a sign permit to take up 6 of the 14 available slots. Higgins explained she spoke with Lokre, who agreed to do a development sign plan which will come back before Plan Commission at a later meeting date. This will help us and the tenants keep track of where and how many signs could go up. Stenstrom wants to see the final building phase (Dunkin Donuts building) to be included on this sign.

No action was taken, as the property owner is in agreement with these terms.

I. Discussion and action on the Director of Planning & Development's recommendation to approve the removal of the 50 foot Village building setbacks and the 50 foot wetland setbacks on the Plat of Weston Business & Technology Park - South per the specifications, conditions, and limitation of the submitted staff report and forward to the Board of Trustees for their consideration.

Zeyghami was instructed that he needs to abstain from this topic, as he is directly involved in this project through his business Central Wisconsin Engineering assisting us with the Affidavit of Correction document.

Higgins explained we need to have the wetlands re-delineated out here as it has been over 5 years. This work will be done this spring. Currently, a 50' wetland setback and 50' building setback remains in place on this plat. She explained the LMD District now calls for a 40' setback, which is what the properties here are zoned as. She wants the setbacks to be based on the zoning district, not the plat. She stated with Lots 1 and 2 the buildable area is not very big because of the wetland area and the setbacks. She pointed out stormwater can be addressed with DNR and Army Corps during site plan. We have to do an Affidavit of Correction and get approvals from the Plan Commission and Village Board in order to get these setbacks removed. The Affidavit will then get recorded at the County.

Our code has a 10' setback for wetlands per the Zoning Code. It was explained that some communities allow buildings up to the wetland, but drainage has to be diverted elsewhere and not directly into the wetland.

\*M/S/P Stenstrom/Kollmansberger: to approve and recommend the Village Board proceed with removal of the 50' wetland setback, and the 50' Village of Weston building setback (not highway setback), per the staff report. Zeyghami abstains.

#### 6. Reports from Staff

- A. Report from Director of Planning & Development
  - i. Comprehensive Plan Update Work Program Meetings and Milestones through 3/28/14

Higgins gave an update on where we are at with the Zoning Code and Comprehensive Plan Update, pointing out the upcoming meetings on April 30<sup>th</sup> (Intergovernmental Zoning Steering Committee) and May 1<sup>st</sup> (Comprehensive Plan Steering Committee). She explained staff has started working on the corridor plan for Camp Phillips Road. This Plan will be included in the Comprehensive Plan Update.

### ii. Comprehensive Outdoor Recreation Plan (CORP) – Weston Park and Recreation Priorities Exercise Results

An exercise for prioritizing projects was done at the previous Park and Recreation Committee Meeting. Plan Commission will be somewhat involved as the CORP will be included in the Comprehensive Plan.

Higgins explained Dunkin Donuts will be breaking ground soon with plans to open in July, and the greenspace (landscaping and farmer's market plan) draft for the Lokre Weston Center will come soon for their review. Contractor for Pizza Ranch has contacted Tatro and will be closing on the property on Wednesday, and then will get their build-out permit. Schierl's will be submitting their landscape & lighting plan within in the week. Jimmy Johns opened for business a few weeks ago. Weston Memory Care on Community Center Drive will hold their groundbreaking in early May, and will submit their landscaping plans soon as well. There was some discussion on Birchwood Highlands future building status.

#### 7. Remarks from the Planning Commission Members

Stenstrom requested staff make proper notification for the next Plan Commission meeting to modify the code to permit non-metallic substances to count toward the 60% brick requirement. He suggested this say 60% non-metallic siding or a maximum of 40% metallic siding allowed.

Diesen and Zeyghami would like to see what other materials that are out there.

Tatro pointed out that Applied Laser's decorative exterior paneling is made out of metal, so by simply saying non-metallic, we are excluding their product.

Higgins stated staff will work on drafting something in regards to building design requirements, to bring before Plan Commission in May.

#### \*M/S/P Stenstrom/Schuster: to take New Business Item 5. A off the table.

Stenstrom questioned if we go forward to allow non-traditional materials to be counted towards the 60% brick, if we can give staff direction to work with Greening to increase the non-metallic materials to get his plans where they need to be in order to be forwarded on to the Village Board. Higgins stated to defer the conditional use permit and to take action on the preliminary site plan. Plan Commission can give suggestions to the Village Board, explaining this will need a zoning code change. Though, she explained the Village Board will need to take action on the zoning code change as well. Higgins stated staff can work with Greening on this. Higgins confirmed Plan Commission would like staff to work with Greening to get the north, west, and south elevations to a point of no more than 40% metallic materials.

\*M/S/P Stenstrom/Kollmansberger: Considering the proposed zoning code change, the Plan Commission will count the non-metallic siding toward the 60% requirement, and ask Greening to work with staff to get to 60% non-metallic building siding on the north, west, and south sides. There will be a 5-year sunset requirement for the east side of the building. Staff will contact and work with the Village attorney to see if we can require, request, or if it is even practical to have a bond to cover that sunset. Defer the Conditional Use Permit until the final site plan comes in for approvals Q: Stenstrom clarified to Zeyghami that his proposal is for staff to work on a draft to

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modify the 60% requirement, which will give the Village Board the ability to act on this proposal, based on the good faith that Plan Commission will act on this modification. Higgins stated she will talk to the Board at their next meeting. Diesen reiterated he would like to learn more of the building products that are out there. Higgins stated the draft new code is more based on "a look", and not material. Guild stated we have some new business prospects for Business Park South. In an effort to move this forward, we may try to do a short-term code change to allow us to address these projects and then explore something more comprehensively. This way the code will not be a hang up. Motion carried.

8. <u>Set Date for Next Meeting: May 12, 2014, 6:00 p.m.</u>

9. Adjourn

\*M/S/P Diesen/Schuster: to adjourn at 7:25 p.m.

Respectfully,

Valerie Parker

Valerie Parker, Recording Secretary

ITEM DESCRIPTION:	Conditional Use Permit for WI Baseball Academy to operate an indoor sports training and recreation facility in an LMD Light manufacturing and distribution zoning district
ENERGOV#	CU-3-14-1432
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development
REPORT DATE:	April 11, 2014
PLAN COMMISSION DATE:	April 14, 2014
STAFF RECOMMENDATION:	Recommendation to defer action until the final Site Plan approvals.
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	
them by the Village to allow for the	Academy has requested conditional use permit be issued to em to build and operate an indoor sports training and manufacturing and distribution zoning district.
APPLICANT: Eric Greening, WI Base	eball Academy
PROPERTY OWNER: Village of Wes	ton
PROPERTY DESCRIPTION: Lot 3 of	Weston Business and Technology Park - South
ZONING: LMD Light manufacturing	and distribution
SURROUNDING LAND USES: vacan	t agricultural and manufacturing property

#### BACKGROUND:

WI Baseball is looking to purchase Lot 3 of Weston Business and Technology Park – South. They have submitted an Offer to Purchase for the Village Board to review based on this preliminary site plan at their meeting on 4/21/14. Prior to finalizing the negotiations, the Board has requested the Plan Commission do a preliminary review of the site plan, concentrating on site layout and building elevations. This review will also be done during Monday's meeting.

Since we do not have a final site plan, staff thought it would be better to hold the public hearing on this development, taking testimony and comments from the public and the PC on the proposal. The staff could then compile a draft list of conditions for the project based on

the preliminary site plan discussion results and the results of the public hearing on the CUP. The CUP document could then be brought back for final approvals with the final site plan.

#### CRITERIA FOR REVIEW:

Article VI Conditional Uses	Meets Criteria?	Notes
1. All standards of this chapter and other village regulations are met.	No	No – final site plan has not been submitted. Staff is ok with use but would like to defer final action on the CUP until final site plan is submitted for Plan Commission approvals.
2. Adequate public facilities and utilities are provided.	No	Unknown – utility plans have not been finalized to date
3. Adequate stormwater and erosion control measures.	No	Unknown – SWMP has not been updated for this development yet due to final site plans not being completed to date.
Sec. 94.141 (b) basis for approval (1) (1) <i>Building, site and operational plan approval supplanted.</i> Processing of a conditional use grant application under this article shall require applicant submittal and village evaluation particularly by the planning commission, of at least the same information as required by review and approval under article V approval of building site and operational plans; therefore separate processing under article V shall not be required unless certain issues not critical to the permissibility of the grant are treated for staged approval under article V as permitted by section 94.138, in which case the grant shall be contingent upon satisfying fully article V	No	Have only received preliminary plans to date
Sec. 94.141(b)(4) Standards	Yes	See attached Conditional Use Determination for more details
Sec. 94.142 (d) <i>Hearing</i> . Before concluding its findings and decision on each application, the planning commission shall hold a public hearing on the petition, following the same notice provisions contained in this chapter for petition to rezone a property.  (1) The planning commission may have the draft conditions completed by the time of the		Staff requests the PC hold the hearing on Monday night to help formulate the draft conditions that can be brought back and approved at the time of final site plan approvals.

hearing in order to gain public input, or the <u>planning</u> <u>commission may hold the</u> <u>hearing before the formulation</u> <u>of draft conditions for purpose</u> of gaining public suggestions.

(2) Where the planning commission holds a hearing prior to the drafting of conditions, or where the planning commission in its judgment makes substantial revisions to the conditions as drafted and presented at public hearing, the planning commission may, at its sole discretion, hold a second public hearing for the purpose of learning public opinion.

Sec. 94.142 (e) Determination. Following necessary staff and planning commission review, investigation, public hearing and discussion with the petitioner, the planning commission, as soon as practical, shall render its recommendation to the village board in writing. The village board shall then approve, approve with additional or differing conditions, or deny the petition. Such decision shall include an accurate and complete description of the use as permitted, including all the applicable conditions, or if disapproved, the principal reasons for disapproval.

The PC should table the hearing until the final site plan is submitted for PC approvals. Currently only a preliminary site plan has been submitted. Staff has no issues with the proposed use but feel we should wait for final issuance until the offer to purchase has been accepted and the final site plan has been approved.



#### SITE PLAN REPORT

#### CSIT-3-14-1433/ERU-3-14-1434

Planning & Development Department

Plan Commission, 6:00pm, April 14, 2014

Submitted: 3/21/2014

To: Loren White, Plan Commission Chairperson

From: Jennifer Higgins, Director of Planning & Development

Case: CSIT-3-14-1433/ERU-3-14-1434: Preliminary Site Plan Approval

Name: Wisconsin Baseball Academy

Address of Project: 8706 Progress Way (Lot 3 - Weston Business and Technology Park - South)

Related Cases: Proposed Conditional Use Permit No. CU-3-14-1432

Background Information: WI Baseball is looking to purchase Lot 3 of Weston Business and Technology Park – South. They have submitted an Offer to Purchase for the Village Board to review based on this preliminary site plan at their meeting on 4/21/14. Prior to finalizing the negotiations, the Board has requested the Plan Commission do a preliminary review of the site plan, concentrating on site layout and building elevations.

It is important to note, the Village Board is looking to stay strict to the Village ordinances as they are negotiating the prices of the lots for much lower than market value. They did not agree with the Plan Commission's approval of the Sutton Site Plan from last month and denied the site plan and the offer to purchase.

The following are comments from the Sutton Site Plan review at the Board meeting. I think it will be helpful to the Plan Commission to consider their past comments on a similar site plan and situation when crafting their motion to the Board on the WI Baseball Academy request:

- 1. Uniform building elevations. Not so much metal. Use a mixture of brick, EIFS and metal on all building elevations. They wanted to stick tough with the 60% brick requirement.
- 2. Landscaping better plans which enhance building and the overall look of the lot.
- 3. Lighting down lighting is used in parking lots
- 4. Sign would like landscaped monument signs.
- 5. Curb and Gutter would like them to use more standard curb and gutter. Currently they show mountable curb on the north and east sides of the parking lots and along the east side of the driveway. They only want to allow it where snow will be stored and the north part of the parking lot is landscaped and the east side of the parking lot (trailer gravel lot) has a fence around it so they won't be storing snow.

The items above are listed in the order of importance of what the Board felt should be changed on the site plan if the Sutton's wanted to proceed with their project. Meeting the 60% brick requirement was their #1 concern. They also valued landscaping and disagreed on not requiring a monument sign along Progress Way.

Requested Action: The Village Board is looking for a recommendation on the preliminary site plan, especially the building elevations and the overall layout of the site, to help them to better negotiate with WI Baseball Academy for a price for the lot.

Staff Recommendation: Village staff has done a preliminary review of the preliminary site plan and feels it does not meet the requirements of the code as submitted for building elevations. We do want to stress, the applicant has done significant improvements to the façade from the first submittal but feel the building designers could increase the brick used to meet the code requirements. Brick should be used more predominately on all sides as EIFS is only to be used as an accent material. It is interesting to note, that in the recent site plan submittal for Lincoln Contractors, they chose to use only brick and told us that EIFS was not an option as insurance companies looked at the use of the material as a liability. Instead of using EIFS they said they would go 100% brick if the Village was requiring more brick.

Per my calculations, the following amounts of materials are used on the elevations:

	Brick	EIFS	Metal Wall Panel
North Elevation	29%	17%	54%
South Elevation	22%	43% (includes windows)	35%
West Elevation	28%	16% (includes doors &	56%
		windows)	
East Elevation	0%	0%	100%

Based on my calculations. The current building design does not meet the requirements of the code. For this reason, Staff recommends the Plan Commission forward a recommendation to the Board to send the preliminary site plan back to staff for further discussions with the applicant.

The following items are staff recommendations of items which should be added to the plans prior to final negotiations and site plan review, please note this is just a preliminary list and a full review of the new site plan will be required and could require additional changes based on staff's further review:

- 1. Building elevations should be revised to meet the 60% brick/EIFS requirement on all sides. If the Plan Commission and Board is willing to entertain waiving the brick requirement on the east side due to the future expansion the building plans should be revised to include provisions so brick can be added to the east elevation at a later date determined by the Board. To do this the building foundation will need to be constructed adequately so that the brick can be added if the expansion does not occur within a prescribed length of time. I would suggest no more than 5 years. I would also suggest that a bond be required to make sure the brick can be added in the future by the Village if the owner is unable to. This is something that may need to be run by attorneys if the Board/PC chooses this route. Continuous screening should be required along the east elevation of the building using a mix of evergreens and other landscaping to hide the lack of brick.
- 2. Curb and gutter needs to be added all the way around the parking lot. Mountable curb can only be used on locations where snow will be stored. For this reason we need a statement detailing plans for snow removal.
- 3. Sidewalk needs to be added along the building's west side and on the east side of the Drop-off Area. This business works primarily with children and their safety should be first priority. A future sidewalk or walkway should also be planned from this development out to the street that could link this facility with the planned baseball/softball complex.
- 4. DPW will need to review and approve the use of a 2<sup>nd</sup> Driveway. They did not get a chance to review the revised layout due to the timing of the latest submittal. If DPW has any issues with the two driveways, the parking lot will need to be reconfigured.

5. The landscaped area should be provided all the way around the building not just on the Progress Way side. This will require the sidewalk to be moved out a bit on the west side of the building. The Board has stressed landscaping as being a priority. If the east elevation is to be allowed to not put up brick, it should then be screened by tall evergreens and other landscaping.

Since the Board has to still undergo final negotiations with the applicant, the Plan Commission should come prepared to discuss and offer further suggestions on the site layout and building appearance so Staff and the applicant knows how to proceed as we work on the final site plan submittal for next month.

PRELIMINARY SITE PLAN ONLY FOR PURPOSES OF LOT PRICE NEGOTIATIONS - NO OFFICIAL SITE PLAN SUBMITTED TO DATE- ONLY PRELIMINARY REVIEW DONE AT THIS TIME SO THERE IS A LOT MISSING IN THE BELOW REPORT BUT IT CAN BE USED BY THE APPLICANT AS THEY DRAFT THE FINAL SITE PLAN.

General Information	n			
Applicant		ning – Wisconsin Sports Properties, LLC		
Applicant Address		2103 Dorie Lane, Mosinee, WI 54455		
Applicant Phone	(715) 574-			
Number	, , , , , ,			
Applicant Email	eric@wisc	consinbaseballacademy.com		
Address				
Site Owner	Village of	Weston (Currently)		
Site Address	8706 Prog			
Contact Person	Eric Green			
Contact Phone	(715) 574-	9518		
Number				
Contact Email	eric@wisc	consinbaseballacademy.com		
Address				
Size of Site	3.799 Acres			
Existing Zoning	LMD			
Existing Land Use	Vacant			
Adjacent Zoning	North	ROW, LMD beyond		
	South	LMD		
	East	LMD		
	West	AG		
Adjacent Land Use	North	Highway 29 and Warehouse		
	South	Vacant		
	East	Vacant		
	West	Ag		
Comprehensive	Future Co	mmercial		
Plan Future Land				
Use Map				
Classification				

#### LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Parcel 1 of Certified Survey Map No. 15096 filed with the Register of Deeds of Marathon County, Wisconsin in Volume 68 Page 18; Part of the North-east ¼ of the South-east ¼ of the South-east ¼ of Section 23 T28N R8E, Village of Weston, Marathon County, Wisconsin; formerly known as Lot 3 of Weston Business and Technology Park-South; more commonly known as 8706 Progress Way.

#### **GENERAL DESCRIPTION:**

Wisconsin Baseball Academy is proposing an indoor sports complex geared towards baseball and softball training. The facility is proposed to have indoor batting cages, virtual golf range and a large open area for fielding. Also the proposed building is designed for future expansion.

#### CONSISTANCY WITH THE COMPREHENSIVE PLAN:

The property is located within the Commercial Future Land Use Category. This category allows for retail stores, taverns, restaurants, truck stops, gas stations, farm coops, farm implement dealerships, automobile dealerships, business offices, motels/hotels, offices, telephone/gas company. Indoor active recreation facility does not fit into the description of the future land use classification.

#### **STAFF ANALYSIS:**

The following Village departments were emailed the site plan for review and comment - S.A.F.E.R Fire Department (Captain Christiansen), Everest Metro Police Department (Chief Sparks), Public Works & Utilities (Keith Donner, Director of Public Works and Michael Wodalski, Deputy Director of Public Works), Parks Department (Shawn Osterbrink), Planning and Development Department (Jared Wehner, Intern, Scott Tatro, Building Inspections and Jennifer Higgins, Director of Planning & Development).

Staff met on March 26, 2014 to discuss the site plan proposal and their comments have been incorporated below.

Updated Plans: 4/9/2014 - JW

**Comparison of Proposal with Zoning Code** 

Regulation	Required	Provided	
Minimum Lot Size	As necessary to meet other requirements	165484.44	Square Feet
		3.799	Acres
Minimum Frontage	As necessary to meet other requirements	438.91'	
<b>Building Minimum Yard Seth</b>	acks		
Minimum Street Yard	40 ft	121.25' 120'	
Minimum Corner Yard	40 ft	N/A	
<b>Minimum Parking lot Street</b>	15 ft	53.25' 47.094	
Yard			
Side Yard (principal	40 ft	82.375' 98'	
building drive side)			
Side Yard (principal	25 ft	228.5'	
building other)			
Side Yard Parking &	10 ft	33' 1 3/16" 29	.58
Accessory Building			
Principal Building DOT	50 ft	85.625' 86.16	
Setback			
Accessory Building DOT	50 ft	N/A	
Setback			
<b>Building Height (principal</b>	40 ft	30' 7"	
building)			
<b>Building Height (Accessory</b>	20 ft	N/A	
Structure)			
Floor area to land area ratio	35%	11.56%	
Green space (minimum area	750 sq ft of green space per 3,000 sq ft.	110,055ft <sup>2</sup>	
per building in square feet)			
	41,371 sq ft of green space is required.		
Sec. 94.135 General site plann	ing standards		

Regulation	Required	Provided
Sec. 94.135(b)(3)	Every lot shall have access for emergency	Met
. , , ,	vehicles	
Sec. 94.135(c) Service & Utility Areas	All service and utility areas which include, but are not limited to, loading docks, exterior storage areas, dumpsters and mechanical equipment such as plumbing vent stacks, HVAC transformers, fans and cooling towers, shall be screened from view by:  (1) Locating all service/utility areas away	Unknown – please provide details
	from public rights-of-way and concealing them from building entrances, pedestrian areas and adjacent residential structures.	
	(2) Providing for joint use of service areas by multiple adjoining buildings.	
	(3) Incorporating trash enclosures into building design.	
	(4) Screening utility service areas from public view with building elements/materials similar in appearance to the main structure.	
	(5) Providing below ground utility connections for all new developments.	
	(6) Locating mechanical equipment such as air conditioners/exchangers out of view from public rights-of-way and circulation paths, and away from residential living or sleeping areas.	
	(7) Screening rooftop mechanical equipment from view from adjoining properties by building elements such as parapet walls.	
PROVIDED AT TIME OF F		
Regulation	Required	Provided
Sec. 94.137 (1) Planting standards	1.5 - 5 Acres: 2 Tree Species, 3 Shrub Species	Landscaping Plan not submitted
Sec. 94.137 (2) Minimum size	Unless otherwise specified, the minimum size for plant materials installed to meet the requirements of this section shall be as follows: See Code.	
Sec. 94.137 (3)a.1. Right of way landscaping	Trees shall be planted on a maximum 40 feet and a minimum 25 feet spacing such that the total number of trees equal or exceed the ratio of one for each 35 feet of street <u>frontage</u> .	

Sec. 94.137 (4)Non-	2. Across from nonresidential zoned	
residential Parking lot	property. Where a parking lot is located	
S	across a dedicated public right-of-way	
landscaping	from property zoned for nonresidential	
	use, shrub clusters shall be provided	
	across 100 percent of the parking lot,	
	exclusive of driveways to a minimum	
	height of three feet. The shrubs shall be	
	planted at a maximum of four feet on	
	center.	
	4. Abutting nonresidential property.	
	Where a parking lot abuts a property	
	zoned for nonresidential use, landscaping	
	shall be provided across 50 percent of the	
	parking lot. Such landscaping shall	
	include shrub clusters to a minimum	
	height of three feet. The shrubs shall be	
	planted at a maximum of four feet on	
	center. In addition, a mix of shade trees,	
	ornamental or evergreen trees shall be	
	planted at the equivalent of one for every	
	70 lineal feet.	
	6. Curb, gutter, and surfacing. All	Parking lots need to be curbed and
	parking lots and driveways leading into	guttered.
	parking lots shall have a bituminous	
	asphalt or concrete surface and shall have	
	six inch high curb and gutter around the	
	perimeter. The planning commission may	
	allow a mountable v-type curb in certain	
	areas to facilitate snow plowing.	
Sec. 94.137(5) Loading	Service yards, loading docks and exterior	
docks, service yards and	work areas adjacent to nonindustrial uses	
exterior work areas adjacent	shall be screened from view from adjacent	
to nonindustrial uses.	business and residential properties and the	
	public right-of-way. The screening shall	
	consist of either of the following:	
	c Call d fance constructed of	
	a. Solid fence constructed of	
	commercial-grade wood or	
	masonry wall, of a design approved by the Village, with a	
	minimum of six feet; or	
	illillillilli of six feet, of	
	b. One hundred percent landscaping	
	consisting of at least 75 percent	
	evergreen plant material, to a	
	minimum height of six feet.	
Sec. 94.137(6) Open storage	a. Open storage yards shall be	
yards.	screened on all sides by solid	
yarus.	walls or fences (including solid	
	doors or gates) and shall be at	
	least eight feet tall, but in no case	
	lower in height than the materials	
	stored.	
	b. If stored materials exceed eight	

	feet in height, then landscaping shall be provided along the outside perimeter of that portion of the	
	fence or wall visible from the adjacent property or public right-of-way. The landscaping shall be	
	in addition to the fence or wall.	
	The installed height of the landscaping shall be equal to or	
	greater than the height of the	
G 0442# (#) N# 11	materials being screened.	
Sec. 94.137 (7) Miscellaneous Landscaping	Retention and detention ponds.	
Lanuscaping	1. Landscaping shall be provided around	
	the perimeter of retention and detention	
	ponds generally above the high water	
	level. Only plants which are adapted to	
	temporary flooding may be planted below high water level.	
	2. Landscaping shall be provided along a	
	minimum of 30 percent of the shoreline of a retention or detention area. Such	
	landscaping shall consist of at least 50	
	percent shade trees. The balance may be	
	landscaped with any mix of ornamental	
	and evergreen trees and shrubs.	
	d. Ground signs and ground lights.	
	1. Ground signs. The foundation of	
	ground signs shall be planted with shrubs,	
	ground cover or perennial flowers. Plants	
	shall be selected for a mature height which will not exceed that of the sign's message.	
	will not exceed that of the sights message.	
	2. Ground lights. Ground lights for signs	
	shall be screened from view of the public right-of-way with evergreen shrubs or	
	ground cover to a minimum height equal	
	to that of the lights.	
	e. Refuse receptacle. Refuse receptacles	Will need to provide location of refuse
	and waste removal areas shall be screened from view on three sides. The screening	and recycling enclosure and details size and what it will look like. Please
	shall consist of a solid fence constructed of	contact your planned waste hauler to
	masonry, or commercial-grade wood	determine size needed and approval of
	fencing and shall be a minimum of six feet	location for ease of pickup.
	and a maximum of eight feet tall. Shrub	Encloser shown on plans. Dimensions
	and ground cover plantings along such	not given – please provide the
	screens are desirable to help soften their	dimensions. 30'w x 10'd is required to
	appearance. Refuse receptacles shall be	fit 3 large sized dumpsters (refuse,
	enclosed on the fourth side with a gate to contain trash or other debris. The gate side	cardboard and other recyclables). There also needs to be a 50' access for
	of the waste receptacle shall be oriented	the enclosure for the garbage truck.
	toward the interior of the site, i.e., toward	and the same and the same same and the same same same same same same same sam
	the building and away from view from	
	the public right-of-way and adjacent sites.	

Lighting and Building Appeara	nce Standards (Sec. 94.138)	
Regulation	Required	Provided
Sec. 94.138(a)(5)	(5) All outdoor lighting for commercial,	No lighting plan submitted – please
	industrial and multi-family uses shall be	provide for final site plan approvals
	designed, located and mounted so that the	
	maximum illumination, as measured	
	horizontally at the lot line, does not	
	exceed 1.0 foot-candles.	
Sec. 94.138(a)(6)	(6) All fixtures shall meet dark sky	No lighting plan submitted – please
G 04.100(7.)(1)	friendly guidelines.	provide for final site plan approvals
Sec. 94.138(b)(1)	(b) Building appearance standards.	Staff would argue that since this
	(1) The autorian malls of each building	complex could potentially be a part of a
	(1) The exterior walls of each building shall be constructed with face brick, or	larger sports complex the village will be investing in the façade should be
	comparable material approved by the	dressed up and there should be no
	village, to cover a minimum of 60 percent	metal siding on the 3 sides with the
	of the wall area in a contiguous manner,	brick.
	including the building rear. Exterior	<del>orien</del>
	Insulation Finishing Systems (EIFS) (e.g.	We also suggest that a deadline be
	"Dry-vit", "Sto", "Cement Board", etc.)	added that if the expansion does not
	are permitted as an accent material only	occur within 5 years, that brick will be
	and will not be permitted as the	added to the east elevation. Therefore,
	predominant exterior material on any	it is advisable to build this first phase so
	façade without the approval of the	that brick could be added to the façade
	Planning Commission. The use of EIFS	if needed.
	as an accent material should incorporate	
	the use of color, detail, pattern, and	Façade has been upgraded from the
	texture to take advantage of the design	initial review made by staff on 3/26/14.
	flexibility it affords. EIFS can be used on canopies, spandrels, fasciae, soffits, accent	The new façade is an improvement on the overall look of the site, however,
	bands and trim.	the 60% percentage of brick or
	ounds and trini.	comparable material has still not been
	(6) Building elevations. All elevations of	met.
	the building shall be designed in a	
	consistent and coherent manner. Changes	% brick/EIFS
	in material, color and/or texture shall	North elevation (STH 29) – 40%
	occur at points relating to the massing,	South elevation (Progress Way) – 58%
	fenestration and overall design concept of	West elevation – 40%
	the building.	East elevation (expansion)– 0%
		B
		Dimensions of proposed sign on
		highway side is not shown. It appears to be too big per code.
Article VIII Off-street Parkin	ng and Loading	be too big per code.
Regulation	Required	Provided
Sec. 94.150(a) Size of	Stalls at least 10'X20' long exclusive of	Stalls are shown to be 19' long. Width
parking spaces.	access aisles	not specified. Please update parking
I		stalls to be 10'X20' Meets requirements
	Access aisles shall be no less than 24 feet	•
	wide for one-way and two-way 90-degree	Aisle width unknown on west parking
	angled spaces	<del>area please provide</del> 24' – Meets
		requirements
<b>Sec. 94.150(b) Off-street</b>	Accessory, off-street parking shall be	Please provide additional information
parking requirements.	provided as specified in the following	on employees at maximum shift.
	schedule of required car parking by <u>use</u> :	Community of the AO
		Currently show 40 spaces with an

	Community Centers and private, non-	additional 18 spaces in an expansion
	profit recreation centers – 4 spaces	area. Show no locations for queuing.
	required per 1,000 SF, 5 vehicles on site	No employee parking shown.
	for queuing, plus 1 per employee on	Please update plans for drop-off areas
	maximum shift	for kids. Additional spaces should be
		required as you could realistically have
	56 spaces + 5 queuing spaces and then 1	50 little kids for one of your events and
	per each planned employee on maximum	all the parents will stay. There will not
	shift	be enough parking. 61 parking spaces
		are provided. The "Drop off" area is
		designed with minimal effort.
Sec. 94.151 (a) Uses affected	In any commercial or industrial district,	Please explain what type and how often
(loading spaces)	and where required by the plan	deliveries will be made to the site. Will
<b>31</b>	commission of institutional uses, off-street	there be a need for semi-truck
	truck loading and unloading space shall be	
	provided in addition to the passenger car	
	spaces required in section 94.150.	
Sec. 94.151(c) Size of	For trucks considered of in-city size such	
loading space.	as panel trucks and vans, the space	
<b>.</b>	provided shall be not led than twelve feet	
	wide and thirty feet long, and may be	
	marked within a parking lot aisle if no	
	other parking spaces are blocked. For	
	trucks considered suitable for inter-city	
	transport, the space provided shall be no	
	less than twelve feet wide and sixty feet	
	long, with an overhead clearance of not	
	less than 15 feet. For uses containing more	
	than 3,000 square feet of floor area, the	
	space marked shall normally be separate	
	from any parking lot aisle or parking	
	spaces unless delivery or pickup activities	
	are scheduled for hours when the lot is not	
G 04.454	in use.	
Sec. 94.151	Determination of need. The exact need	
(d)Determination of need	and suitability of the space provided shall	
(loading spaces)	be determined by the plan commission in	
	connection with their review of building,	
	site and operational plans as set forth in	
	article V of this chapter; however, as a	
	general guideline, the applicant and the	
	commission shall consider the following:	
	(1) For commercial uses, one twelve-	
	by-30-foot space for each 3,000	
	square feet of floor space.	
	(2) For commercial, industrial and	
	wholesale, one twelve-by-60-foot	
	space for each 10,000 square feet	
	of floor space.	
Sec 94 152 (a)Surfacing	New driveways and parking spaces shall	Not specified. Must be asphalt or
Sec. 94.152 (e)Surfacing	be paved with a minimum thickness of 3	concrete.
	inches of asphaltic concrete, concrete, or	Concrete.
	bituminous surfacing over a minimum	
	thickness of 4 inches of an aggregate base	
	material. Gravel may be allowed in	
	material. Gravel may be anowed in	

	portions of commercial or industrial zoned parking lots with plan commission	
Sec. 94.153 Commercial, industrial and multi-family parking lot requirements (a) location and paving	parking lots with plan commission approval.  (1) All parking in commercial, industrial or multi-family zoning districts shall be on all-weather paved parking lots, which lots are set back from property lines, except where they are interconnected across property lines, to allow space for landscaped areas and screening made up of fences, landscaping, or combination of the two. Curb and gutter, meeting village specifications, shall be used in the construction of all new parking lots. Mountable curbing may be used on portions of the parking lot in areas where snow will be stored with plan commission approval.  (2) Paving shall consist of concrete, blacktop, patio block or paver brick, which surfaces shall be maintained to	Not Specified. Must be asphalt or concrete. Curb shown on the front half of the parking lot. Not curb shown on side parking lot. Type of curb not designated. Curb should be required throughout the WHOLE parking lot. Mountable curb is only allowed on areas where snow is stored. Please provide details of snow removal so staff can determine the locations of the types of curb.  Not Specified
	keep them from deterioration, which affects drainage flow, creates erosion or generates dust. The paving of new lots may be delayed for up to one winter season to allow for settlement of underlying soil and aggregate materials, if approved by the plan commission. Gravel may be used on a portion of the parking lot with plan commission approval.  (3) Landscaped areas around parking lots and along residential drives measured to the property line shall be no less in width than the smallest side or rear yard space required by the zoning district for accessory structures, but in no case less than three feet. For the purposes of this regulation, perimeter driveways and queuing or service lanes shall be considered parking lots and subject to providing a landscaped area, and screening as set forth in subsection (b) of	

### STAFF COMMENTS: ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO PLACEMENT ON THE PLAN **COMMISSION AGENDA**

Any item in the above document, shown in **red**, should be looked at by the Applicant and commented on and/or updated on the specified sheet. Below is a summary of these items:

	ease answer the following questions from staff:
	You state you have plans for an expansion. Please provide details of planned expansion and
	timelines.
	What is the proposed building value? Overall project value?
	How will snow removal be handled? Will it be stored on site or removed?

□ Please provide address of 8706 Progress Way to plan sheet.  Plan Sheet A201 –Exterior Elevations □ Please provide address of 8706 Progress Way to plan sheet. □ Please provide a note on the plan which explains material percentages on each façade, especially the % of brick used on each façade. □ Please add material details and colors to drawing.  Site Grading and Erosion Plan - will need to be submitted for final site plan approvals  Site Storm Sewer Plan- will need to be submitted for final site plan approvals  Site Utility Plan -will need to be submitted for final site plan approvals  Details- will need to be submitted for final site plan approvals  Landscape Plan- will need to be submitted for final site plan approvals  Lighting Plan- will need to be submitted for final site plan approvals  e note: corrections to plans and any supplemental written explanations should be provided to be planning and Development Staff by 8:00 am on to be guaranteed to be reviewed to Plan Commission meeting. Plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for plans received after this date will be reviewed for
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Plan Sheet A201 –Exterior Elevations  ☐ Please provide address of 8706 Progress Way to plan sheet.
Plan Sheet A201 –Exterior Elevations
- DI 11 11 00706 D W
Plan Sheet A100 – Floor Plan
☐ Please show the sign access easement of 20' along the west property line (See CSM Vol 68 Pg 18)
☐ Please provide missing dimensions.
□ Current parking space dimensions do not meet code. Should be 10'X20'.
employee on maximum shift. This doesn't even take into account your expansion area plans.
shift. This would account to at least 56 spaces + 5 queuing spaces and then 1 per each planned
1,000 SF of building, plus 5 vehicle spots for onsite queuing, plus 1 per employee on maximum
Centers and private, non-profit recreation centers in our code. This would require 4 spaces per
☐ Parking needs should be revisited by Urban. We would consider this to fall under <i>Community</i>
the building up aesthetically.
revised to include landscaping adjacent to the building between the building and sidewalk to dress
☐ Landscaping of the site has been listed as a high priority of the Board. Suggest that the site plan be
□ Please note, curb and gutter will be required on the parking lot. Mountable curb can be used in locations where snow removal will be.
Please provide address of 8706 Progress Way to plan sheet.
Plan Sheet 100 –Site Plan
Storm Water Management Plan – will need to be submitted for final site plan approvals
Please make sure to provide a revision date on all sheets.
of the parking lot doesn't allow for this or a good traffic flow for this type of use.
Older kids will most likely be dropped off and picked up at the front door and the current layout
parking at your facility on the street for the safety of the kids attending your training sessions.
parking is not available and patrons are force to park on the street. We do not want any overflow
we have an existing recreational facility in Business Park North (GymSport) where adequate
allowance from the state, the 40 stalls you are providing will not be enough. We are cautious as
parking spaces you are providing at this time. We feel that depending on your occupancy
the future expansion area? We ask this because we do have some concerns with the number of

to the Director of Planning & Development the following:

Prior to the building permit being issued by the Village Building Inspector, the Applicant/Owner will be submit

**ISSUANCE:** 

ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO FINAL OCCUPANCY PERMIT ISSUANCE:

Prior to Final Occupancy being issued by the Village Building Inspector, the Applicant/Owner will submit to the Director of Planning & Development the following:

- 1) Any Fire Alarm and Fire Suppression System Plans. (These will be forwarded to the S.A.F.E.R. Fire Chief)
- 2) A pressure test on the water main of 150psi for 1 hour, disinfected and safe bacteriological samples obtained prior to setting a meter and placing service. Copies of these results must be submitted to the Director of Planning & Development who will forward to the Water Utility.
- 3) Provide documentation from the wDNR that you have submitted and received Notice of Intent (NOI) for stormwater.



ITEM DESCRIPTION:	Zoning Ordinance Update: Article IX Signs. Sec. 94.157(b)(5) Electronic Message Unit Sign.
ENERGOV#	N/A
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning & Development
REPORT DATE:	April 4, 2014
PLAN COMMISSION DATE:	April 14, 2014
STAFF RECOMMENDATON:	Recommendation to Approve and forward on to the Village Board for final approval.
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	

#### BACKROUND INFORMATION:

The proposed changes come from the new proposed zoning code update the Village is working on with MDRoffers. These are some changes staff felt should be made immediately as the new ordinance will not be ready for public hearing and approvals until fall.

With changing sign technology, a number of signs being proposed recently utilize full color. Our new ordinance is not restricting color of sign lettering or technology. We also feel the 30 second requirement between message transitions is excessive. The Intergovernmental Zoning Steering Committee agrees and is proposing 10 seconds in the new ordinance.

ITEM DESCRIPTION:	Floodplain Ordinance Update: Sec. 94.200 OFP Floodplain overlay district.		
ENERGOV#	N/A		
REQUEST PREPARED BY:	Jared Wehner - Planning and Development		
REPORT DATE:	April 4, 2014		
PLAN COMMISSION DATE:	April 14, 2014		
STAFF RECOMMENDATON:	Recommendation to Approve and forward on to the Village Board for final approval.		
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:			
BACKROUND INFORMATION:	The Department of Natural Resources has updated their model Floodplain Overlay ordinance to include stronger language and remove the 0.1 foot increase to any increase in the flood elevation. It also increases the restrictions of rehabilitation of nonconforming structures and flood proofing of those structures, requires hydraulic and hydrologic studies and requirements for each district. The ordinance is required to also be approved by the WIDNR and FEMA. Staff has supplied this draft ordinance to them for their final approvals. We are required to provide our Floodplain Ordinance to Mark Roffers, the hired Village Planning Consultant, as part of the Zoning Code Update Project. We felt it was best to update the ordinance so it met the new DNR Model Ordinance at this time.		



ITEM DESCRIPTION:	Residential Business - Zoning Land Use Permit for ABC Family Daycare, 5507 Zadra Street
ENERGOV#	RBUS-3-14-5047
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development
REPORT DATE:	April 4, 2014
PLAN COMMISSION DATE:	April 14, 2014
applicant providing verification to t	Recommendation to approve the request to move the 03 Quentin St to 5507 Zadra Street contingent on the he Village of State licensing at this new address within 60 ermit Issuance Date or the permit will be revoked.
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	
	05 Residential Business Permit the applicant has for her 6103 Quentin Street, to the new home she will be
APPLICANT: ABC Family Childcare,	owner Lynn Barttelt
PROPERTY OWNER: Kevin & Lynn E	Barttelt
PROPERTY DESCRIPTION: 5507 Za	dra Street, Weston WI 54476
Lot 19, Block 17 of the Replat of th	e 4 <sup>th</sup> Addition to Western Acres
ZONING: R-2 Residential single-fam	nily district
SURROUNDING LAND USES: single	-family homes

BACKGROUND INFORMATION: Back in 2005, Ms. Barttelt received a Residential Business Permit to operate her Family Daycare Home, ABC Family Daycare, at her home at 6103 Quentin Street. She recently sold this home and has purchased a home at 5507 Zadra Street where she plans to continue operating this business.

Ms. Barttelt/ABC Family Childcare, is a state licensed in-home childcare facility. Her license # is 1009712 and per the WI Dept of Children & Families website <a href="http://dcf.wisconsin.gov/childcare/licensed/Directories/LCC-Directories.HTM">http://dcf.wisconsin.gov/childcare/licensed/Directories/LCC-Directories.HTM</a> she has been licensed since 10/28/03 as a licensed child care facility in Marathon County at her current

location. She is licensed for up to 8 children, ages 6 weeks to 12 years old, Monday through Friday, 6:30am to 5pm. Her license is in good standing with the State and we have never received any zoning related complaints on her property or the business. She plans to have her new home re-licensed by the state effective after they move in on April 25, 2014. Verification of this new license by the State should be filed with the Village within 60 days of the Residential Business Permit Issuance Date or the permit will be revoked.

#### CRITERIA FOR REVIEW:

Sections 94.113 & 94.180	Meets Criteria?	Notes
1. All standards of this chapter and other village regulations are met.	Yes	Residential business permits as defined in Sec. 94.113 are permitted accessory uses within the R-2 zoning district. A family daycare home is considered a residential business.



#### SITE PLAN REPORT

#### CSIT-3-14-1427/ERU-3-14-1428

Planning & Development Department

Plan Commission, 6:00pm, April 14, 2014 Submitted: 3/13/2014

Revised: 04/09/2014

To: Village of Weston Plan Commissioners

From: Jennifer Higgins, Director of Planning & Development

Case: CSIT-3-14-1427/ERU-3-14-1428 : Site Plan Approval

Name: Main St. Homes LLC

Address of Project: 5309 Schofield Avenue, Weston, WI 54476

Requested Action: The applicant, Main St. Homes, requests approval of site plan for the proposed building addition, which consists of enclosing the drive-thru, to create additional space for a design room for customers choosing colors and designs. The applicant is requesting the waiver of the 60% brick requirement on the south side of the building. The south side currently is comprised of white vinyl siding, and the applicant would like to continue the white vinyl siding around the building addition, to be consistent with what is currently in place.

Staff Recommendation: Staff recommends approval of the building addition site plan for Main St. Homes, LLC, (CSIT-3-14-1427/ERU-3-14-1428) per the specifications, conditions, and limitation of this submitted staff report. This site plan approval includes the following contingencies:

- The shed being removed from Lot 2 prior to the CSM (CSM-4-14-1438) being signed by Planning & Development Director.
- The CSM being recorded and a recorded copy returned to Village staff, prior to any building permits being issued.
- Prior to building permit issuance:
  - State approved plans can be submitted to building inspector.
- Prior to final occupancy:
  - The pavement on Lot 2 needs to be removed or a cross access agreement needs to be provided for.
  - Sign permit submitted and approved, along with an approved landscaping plan for the sign, prior to a new sign face going on the existing sign.

Related Cases: Prior location of River Valley Bank.

General Information		
Applicant	Main Street Homes LLC	
Applicant Address	2007 North Mountain Rd, Rib Mountain (Wausau), WI 54401	
Applicant Phone	715-843-6084	
Number		

Applicant Email	heath@heathtappe.com			
Address				
Site Owner	Heath Tappe			
Site Address	5309 Schofield Avenue			
Contact Person	Matt Thums			
Contact Phone	715-843-6	715-843-6084		
Number				
Contact Email	matt@ma	inst-homes.com		
Address				
Size of Site	102,934 ft	102,934 ft <sup>2</sup> / 2.36 acres		
Existing Zoning	M-1			
Existing Land Use	Bank – Drive though service			
Adjacent Zoning	North	M-1		
	South	M-1		
	East	M-1		
	West	M-1		
Adjacent Land Use	North	Multi-tenant warehouse		
	South	Bar and Restaurant		
	East	Multi-tenant warehouse		
	West	Auto Repair Shop		
Comprehensive	The site is	s indicated as future commercial on the Comprehensive Future Land Use Map		
Plan Future Land				
Use Map				
Classification				

#### LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Lot 1 of Block 4 in the Weston Commercial Park recorded in the office of the Register of Deeds for Marathon County, Wisconsin and excepting highway document No. 1158376; Section 16 Township 28 Range 8 East, the Village of Weston, Marathon County.

#### **GENERAL DESCRIPTION:**

The proposed project is to enclose the 12'3" x 20' drive through to turn it into a building addition. The building will then be used as a building contractor's office.

#### CONSISTANCY WITH THE COMPREHENSIVE PLAN:

The property is located in the Commercial Future Land Use Category. This category allows for Retail stores, taverns, restaurants, truck stops, gas stations, farm coops, farm implement dealerships, automobile dealerships, **business offices**, motels/hotels, offices, telephone/gas company. Achieving consistency between land use and zoning is required by State Statutes.

#### **STAFF ANALYSIS:**

The following Village departments were emailed the site plan for review and comment - S.A.F.E.R Fire Department (Captain Christiansen), Everest Metro Police Department (Chief Sparks), Public Works & Utilities (Keith Donner, Director of Public Works and Michael Wodalski, Deputy Director of Public Works), Parks Department (Shawn Osterbrink), Planning and Development Department (Jared Wehner, Intern, Scott Tatro, Building Inspections and Jennifer Higgins, Director of Planning & Development).

Staff met on March 26, 2014 to discuss the site plan proposal and their comments have been incorporated below.

**Comparison of Proposal with Zoning Code** 

Regulation	Required	Provided
Minimum Lot Size	As necessary to meet other requirements	61,656 1.42 acres : Lot 1 48,397 1.11 acres : Lot 2
Minimum Fuentage	As necessary to meet other requirements	Lot 1: 724.21'
Minimum Frontage	As necessary to meet other requirements	Lot 1: 724.21 Lot 2: 774.42'
Building Minimum Yard Seth	acks	13012.771112
Minimum Street Yard	50 ft	70', 188.36', 105.06'
Minimum Corner Yard	50 ft	N/A
Minimum Parking lot Street	25 ft	N/A- not upgrading parking lot at this
Yard	25 11	time
Side Yard (principal	50 ft	N/A – 3 street frontages
building drive side)	25.5	Not Consider a Description
Side Yard (principal building other)	25 ft	Not Specified – Does not meet requirements – CSM needs to be completed to combine lots or move lo line CSM submitted on 04/07/14. Meets the 25-foot min.
Side Yard Parking & Accessory Building	10 ft	Not Specified - Does not meet requirements – CSM needs to be completed to combine lots or move lot line CSM submitted on 04/07/14. The proposed CSM shows the shed on its own lot with no principal structure. Applicant plans to remove the shed.
Principal Building Rear Yard	20 ft	N/A – 3 street frontages
Accessory Building Rear Yard	20 ft	N/A-3 street frontages
Building Height (principal building)	60 ft	Not Specified – Please verify height o addition The building height is 15'6", at its tallest peak.
Building Height (Accessory Structure)	60 ft	N/A – no accessory structures currently on lot
Floor area to land area ratio	50%	Not Specified – Please provide The plans indicate 25.3:100 (25.3%)
Green space (minimum area per building in square feet)	750 sq ft of green space per 3,000 sq ft.  13,654 sq ft of green space is required in lot 1 13,219 sq ft of green space is required in lot 2	Not Specified – Please provide The plans indicate 28.6:100 (28.6%)
Sec. 94.135 General site plann	ing standards	
Regulation	Required	Provided
Sec. 94.135(b)(3)	Every lot shall have access for emergency vehicles	Meets Requirements
Sec. 94.135(c) Service &	All service and utility areas which	Utility structures are not shown.
Utility Areas	include, but are not limited to, loading	
	docks, exterior storage areas, dumpsters	Refuse and recycling not shown on
	and mechanical equipment such as	plan. It is stated they plan to use a

	nt stacks, HVAC	residential trash receptacle. Staff
	, fans and cooling towers,	suggests that they design a
shall be scre	ened from view by:	trash/recycling enclosure into the
		addition where they can keep the two
(1) Locating	all service/utility areas away	rolling carts.
from public	rights-of-way and concealing	Their revised plan now shows an
them from b	uilding entrances, pedestrian	enclosure area, attached to the
areas and ad	acent residential structures.	southwest corner of the building to
		house a refuse cart and recycling cart.
(2) Providing	g for joint use of service areas	, ,
	adjoining buildings.	
(3) Incorpora	ating trash enclosures into	
building des		
(4) Screenin	g utility service areas from	
	with building	
-	terials similar in appearance	
to the main s		
(5) Providing	g below ground utility	
	for all new developments.	
Connections	ioi an new developments.	
(6) Locating	mechanical equipment such	
	oners/exchangers out of view	
	rights-of-way and circulation	
*	way from residential living or	
_	•	
sleeping area	15.	
(7) 9	a manftan manhanian	
	g rooftop mechanical	
	om view from adjoining	
	building elements such as	
parapet wall		
Landscape Plan (Sec. 94.137) – N/A at thi	s time – no additions to the	parking lot

Landscape Plan (Sec. 94.157) – N/A at this time – no additions to the parking lot		
Regulation	Required	Provided
Sec. 94.137 (1) Planting	1.5 - 5 Acres: 2 Tree Species, 3 Shrub	Landscaping plan is not required in
standards	Species	this case.
Sec. 94.137 (2) Minimum	Unless otherwise specified, the minimum	Landscaping plan is not required in
size	size for plant materials installed to meet	this case.
	the requirements of this section shall be as	
	follows: <u>See Sec. 94.137(2)</u>	
Sec. 94.137 (3)a.1. Right of	Trees shall be planted on a maximum 40	Landscaping plan is not required in
way landscaping	feet and a minimum 25 feet spacing such	this case.
• •	that the total number of trees equal or	
	exceed the ratio of one for each 35 feet of	
	street frontage	

Sec. 04 127 (4)Non	2. Across from nonresidential zoned	Landscaping plan is not required in
Sec. 94.137 (4)Non-	property. Where a parking lot is located	this case.
residential Parking lot	across a dedicated public right-of-way	tills case.
landscaping	from property zoned for nonresidential	
	use, shrub clusters shall be provided	
	across 100 percent of the parking lot,	
	exclusive of driveways to a minimum	
	height of three feet. The shrubs shall be	
	planted at a maximum of four feet on	
	center.	
	4. Abutting nonresidential property.	
	Where a parking lot abuts a property	
	zoned for nonresidential use, landscaping	
	shall be provided across 50 percent of the	
	parking lot. Such landscaping shall include	
	shrub clusters to a minimum height of	
	three feet. The shrubs shall be planted at a	
	maximum of four feet on center. In	
	addition, a mix of shade trees, ornamental	
	or evergreen trees shall be planted at the	
	equivalent of one for every 70 lineal feet.	Desking let in smith a second or
	6. Curb, gutter, and surfacing. All	Parking lot is exiting – no plan
	parking lots and driveways leading into parking lots shall have a bituminous	required
	asphalt or concrete surface and shall have	
	six inch high curb and gutter around the	
	perimeter. The planning commission may	
	allow a mountable v-type curb in certain	
	areas to facilitate snow plowing.	
Sec. 94.137(5) Loading	Service yards, loading docks and exterior	N/A
docks, service yards and	work areas adjacent to nonindustrial uses	
exterior work areas adjacent	shall be screened from view from adjacent	
to nonindustrial uses.	business and residential properties and the	
	public right-of-way. The screening shall	
	consist of either of the following:	
	a. Solid fence constructed of	
	commercial-grade wood or	
	masonry wall, of a design	
	approved by the Village, with a	
	minimum of six feet; or	
	b. One hundred percent landscaping	
	consisting of at least 75 percent	
	evergreen plant material, to a	
Sec. 94.137(6) Open storage	a. Open storage yards shall be	N/A
yards.	screened on all sides by solid	11/12
yaius.	walls or fences (including solid	
	doors or gates) and shall be at	
	least eight feet tall, but in no case	
	lower in height than the materials	
	stored.	
	1 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
	b. If stored materials exceed eight	
	feet in height, then landscaping	

	shall be provided along the outside perimeter of that portion of the fence or wall visible from the adjacent property or public right-of-way. The landscaping shall be in addition to the fence or wall. The installed height of the landscaping shall be equal to or greater than the height of the materials being screened.	
Sec. 94.137 (7) Miscellaneous	Retention and detention ponds.	N/A – No retention pond on site.
Landscaping	<ol> <li>Landscaping shall be provided around the perimeter of retention and detention ponds generally above the high water level. Only plants which are adapted to temporary flooding may be planted below high water level.</li> <li>Landscaping shall be provided along a minimum of 30 percent of the shoreline of</li> </ol>	
	a retention or detention area. Such landscaping shall consist of at least 50 percent shade trees. The balance may be landscaped with any mix of ornamental and evergreen trees and shrubs.  d. Ground signs and ground lights.  1. Ground signs. The foundation of ground signs shall be planted with shrubs, ground cover or perennial flowers. Plants shall be selected for a mature height which will not exceed that of the sign's message.  2. Ground lights. Ground lights for signs shall be screened from view of the public right-of-way with evergreen shrubs or ground cover to a minimum height equal to that of the lights.	No sign permit has been submitted. No formal landscaping plan submitted. Applicant is aware of these requirements.
	e. Refuse receptacle. Refuse receptacles and waste removal areas shall be screened from view on three sides. The screening shall consist of a solid fence constructed of masonry, or commercial-grade wood fencing and shall be a minimum of six feet and a maximum of eight feet tall. Shrub and ground cover plantings along such screens are desirable to help soften their appearance. Refuse receptacles shall be enclosed on the fourth side with a gate to contain trash or other debris. The gate side of the waste receptacle shall be oriented toward the interior of the site, i.e., toward the building and away from view from the public right-of-way and adjacent sites.	Not specified. Refuse and recycling not shown on plan. It is stated they plan to use a residential trash receptacle. Staff suggests that they design a trash/recycling enclosure into the addition where they can keep the two rolling carts.  Their revised plan now shows an enclosure area, attached to the southwest corner of the building to house a refuse cart and recycling cart.
Lighting and Building Appearan	ce Standards (Sec. 94.138)	

Regulation	Required	Provided
Sec. 94.138(a)(5)	(5) All outdoor lighting for commercial,	N/A – No lighting plan submitted as no
	industrial and multi-family uses shall be	additional lighting planned for site
	designed, located and mounted so that the	
	maximum illumination, as measured	
	horizontally at the lot line, does not	
Sac 04 128(a)(6)	exceed 1.0 foot-candles.  (6) All fixtures shall meet dark sky	N/A – No lighting plan submitted as no
Sec. 94.138(a)(6)	friendly guidelines.	additional lighting planned for site
Sec. 94.138(b)(1)	(b) Building appearance standards.  (1) The exterior walls of each building shall be constructed with face brick, or comparable material approved by the village, to cover a minimum of 60 percent of the wall area in a contiguous manner, including the building rear. Exterior Insulation Finishing Systems (EIFS) (e.g. "Dry-vit", "Sto", "Cement Board", etc.) are permitted as an accent material only and will not be permitted as the predominant exterior material on any façade without the approval of the Planning Commission. The use of EIFS as an accent material should incorporate the use of color, detail, pattern, and	Vinyl siding is being proposed on the new addition and is currently on the existing façade in this location. The side the new addition is being proposed is considered a street facing side and the coinciding elevation should reflect that as well as the existing brick that is on the building. The new addition needs to reflect the 60% brick requirement.  Please label elevations for materials used and colors.  Their elevations do indicate now the type of building materials existing and proposed for the addition. North, West, & East sides contain brick, the South side contains white vinyl, and they plan
	texture to take advantage of the design flexibility it affords. EIFS can be used on canopies, spandrels, fasciae, soffits, accent bands and trim.	to use this same material for the addition.
Article VIII Off-street Parkir		Provided
Regulation	Required Stalls at least 10'X20' long exclusive of	Not Specified
Sec. 94.150(a) Size of parking spaces.	access aisles	Applicant was made aware that parking
parking spaces.	decess distes	stalls need to be 10-ft. wide by 20-ft.
	Access aisles shall be no less than 24 feet	long.
	wide for one-way and two-way 90-degree	
G 044500 000	angled spaces	N
Sec. 94.150(b) Off-street	Accessory, off-street parking shall be provided as specified in the following	Not specified. Square footage of building unknown.
parking requirements.	schedule of required car parking by <u>use</u> :	Per the drainage spec sheet, the
	Office Space requires space/200 square feet.	building contains 1,509 sq. ft. The applicant has plans for 8 parking stalls.
Sec. 94.151 (a) Uses affected	In any commercial or industrial district,	N/A
(loading spaces)	and where required by the plan	
	commission of institutional uses, off-street truck loading and unloading space shall be provided in addition to the passenger car spaces required in section 94.150.	
Sec. 94.151(c) Size of	For trucks considered of in-city size such	N/A
loading space.	as panel trucks and vans, the space provided shall be not led than twelve feet wide and thirty feet long, and may be marked within a parking lot aisle if no	

	other parking spaces are blocked. For	
	trucks considered suitable for inter-city	
	transport, the space provided shall be no	
	less than twelve feet wide and sixty feet	
	long, with an overhead clearance of not	
	less than 15 feet. For uses containing more	
	than 3,000 square feet of floor area, the	
	space marked shall normally be separate	
	from any parking lot aisle or parking	
	spaces unless delivery or pickup activities	
	are scheduled for hours when the lot is not	
0.04454	in use.	N/A
Sec. 94.151	Determination of need. The exact need	N/A
(d)Determination of need	and suitability of the space provided shall	
(loading spaces)	be determined by the plan commission in	
	connection with their review of building,	
	site and operational plans as set forth in	
	article V of this chapter; however, as a	
	general guideline, the applicant and the	
	commission shall consider the following:	
	(1) For commercial uses, one twelve-	
	by-30-foot space for each 3,000	
	square feet of floor space.	
	(2) For commercial, industrial and	
	wholesale, one twelve-by-60-foot	
	space for each 10,000 square feet	
	of floor space.	27/4 27 1
Sec 04 152 (a)Surfacing	New driveways and parking spaces shall	N/A - Unknown
Sec. 94.152 (e)Surfacing		1 WII CHRIOWII
Sec. 74.132 (e)Surfacilig	be paved with a minimum thickness of 3	TWI OMMIOWII
5cc. 74.132 (e)5urfacilig	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or	TWI CHRIGWI
5cc. 74.132 (e)5urfacing	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum	TVIT CHRIGWI
5cc. 94.132 (e)5urracing	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or	TVII CHRIGWII
Sec. 74.132 (e)Surfacing	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum	TVII CHRIGWII
Sec. 94.132 (e)Surfacing	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base	TVII CHRIGWII
Sec. 94.132 (e)Surfacing	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned	
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Sec. 94.153 Commercial,	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned parking lots with plan commission approval.  (1) All parking in commercial, industrial	Asphalt parking lot exists on property.
Sec. 94.153 Commercial, industrial and multi-family	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned parking lots with plan commission approval.  (1) All parking in commercial, industrial or multi-family zoning districts shall be on	
Sec. 94.153 Commercial, industrial and multi-family parking lot requirements (a)	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned parking lots with plan commission approval.  (1) All parking in commercial, industrial or multi-family zoning districts shall be on all-weather paved parking lots, which lots	
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Sec. 94.153 Commercial, industrial and multi-family parking lot requirements (a)	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned parking lots with plan commission approval.  (1) All parking in commercial, industrial or multi-family zoning districts shall be on all-weather paved parking lots, which lots are set back from property lines, except where they are interconnected across property lines, to allow space for landscaped areas and screening made up of fences, landscaping, or combination of the two. Curb and gutter, meeting village specifications, shall be used in the construction of all new parking lots. Mountable curbing may be used on portions of the parking lot in areas where snow will be stored with plan commission approval.  (2) Paving shall consist of concrete,	
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Sec. 94.153 Commercial, industrial and multi-family parking lot requirements (a)	be paved with a minimum thickness of 3 inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum thickness of 4 inches of an aggregate base material. Gravel may be allowed in portions of commercial or industrial zoned parking lots with plan commission approval.  (1) All parking in commercial, industrial or multi-family zoning districts shall be on all-weather paved parking lots, which lots are set back from property lines, except where they are interconnected across property lines, to allow space for landscaped areas and screening made up of fences, landscaping, or combination of the two. Curb and gutter, meeting village specifications, shall be used in the construction of all new parking lots. Mountable curbing may be used on portions of the parking lot in areas where snow will be stored with plan commission approval.  (2) Paving shall consist of concrete,	Asphalt parking lot exists on property.

affects drainage flow, creates erosion or	
generates dust. The paving of new lots	
may be delayed for up to one winter	
season to allow for settlement of	
underlying soil and aggregate materials, if	
approved by the plan commission. Gravel	
may be used on a portion of the parking	
lot with plan commission approval.	
(3) Landscaped areas around parking lots	N/A
and along residential drives measured to	
the property line shall be no less in width	
than the smallest side or rear yard space	
required by the zoning district for	
accessory structures, but in no case less	
than three feet. For the purposes of this	
regulation, perimeter driveways and	
queuing or service lanes shall be	
considered parking lots and subject to	
providing a landscaped area, and	
screening as set forth in subsection (b) of	
this section.	

#### **STAFF COMMENTS:**

## ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO PLACEMENT ON THE PLAN COMMISSION AGENDA

Any item in the above document, shown in **red**, should be looked at by the Applicant and commented on and/or updated on the specified sheet. Below is a summary of these items:

Cannot move forward without a Certified Survey Map (CSM) being completed. Building setbacks cannot
be met without it. CSM Application can be found online at
http://www.westonwi.gov/DocumentCenter/View/898. CSM submitted on 04/07/14.
Please revise Plan Sheets to meet the new CSM. Revised plan sheets submitted on 04/08/14.
Please make sure all setbacks are shown. Revised plan sheets submitted on 04/08/14.
Please provide height of building addition. Building height provided = 15' 6"
Please provide a note on the plans of floor area to land area ratio. Ratio given = 25.3 : 100 (25.3%)
Please provide a note on the plans of greenspace ratio. Ratio given = 28.6 : 100 (28.6%)
Please provide a screened location for your trash and recycling carts. Enclosure now shown on plans,
connected to southwest corner of building.
Please note that landscaping will be required around the existing sign when the sign is upgraded.
Please note that 60% brick is required. We are assuming you are requesting a waiver to this requirement
from the Plan Commission. Be prepared they may request some brick on this side of the building. Please
update your building elevations to label materials used and colors.
the shed from the property.
signed by staff. Applicant has indicated on 04/09/14 they will remove the pavement.

Please note: corrections to plans and any supplemental written explanations should be provided to Village Planning and Development Staff by 8:00 am on <u>Monday, April 07, 2014</u> to be guaranteed to be reviewed for the <u>Monday, April 14, 2014</u> Plan Commission meeting. Plans received after this date will be reviewed for the <u>Monday, May 12, 2014</u> meeting.

☐ CSM needs to be recorded and a copy returned to Village staff, prior to building permit issuance.

Following review of the site plan building addition, staff recommends approval with the below conditions:

# ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO BUILDING PERMIT ISSUANCE:

Prior to the building permit being issued by the Village Building Inspector, the Applicant/Owner will be submit to the Director of Planning & Development the following:

1) State Approved Plans - Can be submitted to Building Inspector

# ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO FINAL OCCUPANCY PERMIT ISSUANCE:

Prior to Final Occupancy being issued by the Village Building Inspector, the Applicant/Owner will submit to the Director of Planning & Development the following:

- 1) The pavement on Lot 2 needs to be removed prior to final occupancy.
- 2) Sign permit submitted and approved, along with an approved landscaping plan for the sign, prior to a new sign face going on the existing sign.



#### SITE PLAN REPORT

#### CSIT-3-14-1430/ERU-3-14-1431

Planning & Development Department

Plan Commission, 6:00pm, April 14, 2014

Submitted: 3/21/2014

To: Village of Weston Plan Commission

From: Jennifer Higgins, Director of Planning & Development

Case: CSIT-3-14-1430/ERU-3-14-1431 : Site Plan Approval

Name: Lincoln Contractor Supply / FABCO Rentals

Address of Project: 6652 County Road J, Weston, WI 54476

Requested Action: The applicant, Lincoln Contractors Supply & FABCO Rents, requests full site plan approval of their proposed new 18,000 sq. ft. facility to be used for sales, rental and service of construction equipment and supply. They also have planned a 16,000 sq. ft. accessory structure to be used for cold storage for off-season equipment.

Staff Recommendation: Staff recommends approval of Site Plan for Lincoln Contractor Supply/FABCO Rentals (CSIT- 3-14-1430/ERU-3-14-1431) per the specifications, conditions, and limitation of this submitted staff report. This approval includes the following contingencies:

- Plan Commission approval of the use of gravel surfacing in the screen yard area per Sec. 94.152(e).
- Prior to the building permit being issued by the Village Building Inspector, the Applicant/Owner will be submit to the Director of Planning & Development the following:
  - 1. State Approved Plans can be submitted to the Building Inspector.
  - 2. WIDOT approval of the removal of the access restrictions on Christie Ln in the locations of the two proposed driveways.
  - 3. Commercial Occupancy Permit Application for Lincoln Contractors.
- Prior to Final Occupancy being issued by the Village Building Inspector, the Applicant/Owner will submit to the Director of Planning & Development the following:
  - 1. Any Fire Alarm and Fire Suppression System Plans. (These will be forwarded to the S.A.F.E.R. Fire Chief)
  - 2. A pressure test on the water main of 150psi for 1 hour, disinfected and safe bacteriological samples obtained prior to setting a meter and placing service. Copies of these results must be submitted to the Director of Planning & Development who will forward to the Water Utility.
  - 3. Provide written documentation from the WDNR that you have submitted and received Notice of Intent (NOI) for stormwater.
  - 4. Business Owners plan for addressing the building per Chapter 14 of the Village of Weston Ordinances so the address can be seen from the public right of way.
  - 5. Separate Sign Permits. Location of proposed monument sign shown on Landscape Plan. Sign permits will still need to be applied for separately prior to time of sign installation.

1) Additional Items: Limited Site Plan information is attached to this meeting packet. Full Site Plan materials can be found online at http://www.westonwi.gov/422/Site-Plans.

Related Cases: REZN-10-13-1391 – southern strip of the property was rezoned to B-3 from M-1 CCSM-10-13-1392 (signed and recorded on 11/21/2013)

General Information			
Applicant	Aaron Knief		
Applicant Address	11111 West Hayes Avenue, Milwaukee, WI 53227		
Applicant Phone	414-541-1	327	
Number			
Applicant Email	aaronk@l	<u>cswi.com</u>	
Address			
Site Owner	Aaron Kn	ief	
Site Address	6652 Cou	nty Road J	
Contact Person	Bill Aubre		
Contractor	Hoffman 1	Planning, Design and Construction	
Contractor Phone	920-731-2	2322	
Contractor	PO Box 8	034, Appleton, WI 54911	
Address			
Contact Phone	920-380-2	2137	
Number			
Contact Email	baubrey@hoffman.net		
Address			
Size of Site	187,308 ft	<sup>2</sup> 4.3 Acres	
Existing Zoning	B-3		
Existing Land Use	Vacant	<u></u>	
Adjacent Zoning	North	B-3	
	South	B-3	
	East	M-1	
	West	M-1	
Adjacent Land Use	North	Gas Station and Food Service (Near Future/In Progress)	
	South	Heavy Equipment Rental and Storage	
	East Residential – Vacant (Bank Owned)		
	West Industrial – Sand Pit/Concrete Operation		
Comprehensive Plan	Future Commercial		
Future Land Use			
Map Classification			

#### LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Lot 1 of Certified Survey Map No. 16703 files with the Register of Deeds of Marathon County, Wisconsin in Volume 78 Page 52; Part of the south-east ¼ of the northwest ¼ of Section 24 T28N R8E, Village of Weston, Marathon County, Wisconsin, more commonly known as 6652 County Road J.

#### **GENERAL DESCRIPTION:**

The proposed 18,000 ft<sup>2</sup> facility will be used by Lincoln Contractors Supply and FABCO Rents. The main use will be the sales, rental and service of construction equipment and supplies. The proposed hours of operation will be Monday through Friday, 7:00am through 5:00pm and Saturday, 7:00am through 12:00pm. There will also be a 16,000 ft<sup>2</sup> accessory structure for the purpose of cold storage for off-season equipment. The yard will

be used for outdoor storage of heavy equipment. There will be heavy truck traffic daily during the summer months with less traffic during the winter months.

#### CONSISTANCY WITH THE COMPREHENSIVE PLAN:

The property is located within the Commercial Future Land Use Category. This category allows for retail stores, taverns, restaurants, truck stops, gas stations, farm coops, farm implement dealerships, automobile dealerships, business offices, motels/hotels, offices, telephone/gas company. This proposed use is consistent with the comprehensive plan.

#### **STAFF ANALYSIS:**

The following Village departments were emailed the site plan for review and comment - S.A.F.E.R Fire Department (Captain Christiansen), Everest Metro Police Department (Chief Sparks), Public Works & Utilities (Keith Donner, Director of Public Works and Michael Wodalski, Deputy Director of Public Works), Parks Department (Shawn Osterbrink), Planning and Development Department (Jared Wehner, Intern, Scott Tatro, Building Inspections and Jennifer Higgins, Director of Planning & Development).

Staff met on March 26, 2014 to discuss the site plan proposal and their comments have been incorporated below.

**Comparison of Proposal with Zoning Code** 

Regulation	Required	Provided
Minimum Lot Size	As necessary to meet other requirements	187,308
Minimum Frontage	As necessary to meet other requirements	923ft
<b>Building Minimum Yard Seth</b>	acks	
Minimum Street Yard	30 ft	85' – CTH J 86' Corner of CTH J & Christie Ln 63.9' Christie Ln
Minimum Corner Yard	30 ft	85' – CTH J 86' Corner of CTH J & Christie Ln 63.9' Christie Ln
Minimum Parking lot Street Yard	15 ft	Unknown in some locations. Please see mark up on Sheet C3.0 for areas where staff would like clarification. Ok 4/3/14
Side Yard (principal building drive side)	30 ft	N/A
Side Yard (principal building other)	15 ft	N/A – no building rear – two street frontages
Side Yard Parking & Accessory Building	10 ft	N/A
Principal Building Rear Yard	40 ft	86.3' and 305.735'
Accessory Building and Parking Rear Yard	10 ft	30' and 76.5' – Accessory Building 10' – Parking/drive
Building Height (principal building)	40 ft	20ft
Building Height (Accessory Structure)	20 ft	20ft
Floor area to land area ratio (maximum permitted)	40%	18.13%

Green space (minimum area	750 sq ft of green space per 3,000 sq ft.	25.10%
per building in square feet)	46,827 sq ft of green space is required.	Provide 47,011 SQ
Sec. 94.135 General site plann		110vide 47,011 SQ
Regulation	Required	Provided
Sec. 94.135(b)(3)	Every lot shall have access for emergency vehicles	Meets requirements
Sec. 94.135(c) Service & Utility Areas	All service and utility areas which include, but are not limited to, loading docks, exterior storage areas, dumpsters and mechanical equipment such as plumbing vent stacks, HVAC transformers, fans and cooling towers, shall be screened from view by:  (1) Locating all service/utility areas away from public rights-of-way and concealing them from building entrances, pedestrian	External mechanical and HVAC equipment not shown on plans. Please provide a statement of where they will be located and how screened. Ok 4/3/14 they will all be located behind the privacy fence in the equipment storage yard.
	areas and adjacent residential structures.  (2) Providing for joint use of service areas by multiple adjoining buildings.  (3) Incorporating trash enclosures into	
	building design.  (4) Screening utility service areas from public view with building elements/materials similar in appearance to the main structure.	
	<ul><li>(5) Providing below ground utility connections for all new developments.</li><li>(6) Locating mechanical equipment such as air conditioners/exchangers out of view from public rights-of-way and circulation paths, and away from residential living or</li></ul>	
	sleeping areas.  (7) Screening rooftop mechanical equipment from view from adjoining properties by building elements such as parapet walls.	
Landscape Plan (Sec. 94.137)		
Regulation Sec. 94.137 (1) Planting standards	Required 1.5 - 5 Acres: 2 Tree Species, 3 Shrub Species	Provided  Trees: American Beech, Colorado Spruce, Red Ash, Red Maple Per Village Forester & Parks Superintendent- Red Ash are a restricted tree due to emerald ash borer issue statewide and should be removed from the plan. They request it is replaced by a different tree. They also discourages the use of maples especially any of the red maple

		varieties such as: Emerald Lustre,
		Deborah Schwindler, and
		Fairview. We have found the maple
		varieties don't do well in the
		landscapes.
		Ok 4/3/14
		Shrubs: Burning Bush, English
		Boxwood, Juniper, Yew
		Per Village Forester & Parks
		Superintendent- the shrub species are
		fine but suggest you add some
		perennials to the plans for a little color
		as the varieties you picked are
		primarily green until fall. – OK 4/3/14
		- Applicant did not add any perennials
		at the suggestion of the Village.
Sec. 94.137 (2) Minimum	Unless otherwise specified, the minimum	Tree and shrub heights and diameters
size	size for plant materials installed to meet	meet installation requirements.
	the requirements of this section shall be as	
	follows:	
Sec. 94.137 (3)a.1. Right of	Trees shall be planted on a maximum 40	
way landscaping	feet and a minimum 25 feet spacing such	
	that the total number of trees equal or	
	exceed the ratio of one for each 35 feet of	
	street <u>frontage</u> .	
Sec. 94.137 (4)Non-	2. Across from nonresidential zoned	Per 94.137(4) 4. The West property
residential Parking lot	property. Where a parking lot is located	line should be landscaped along the
landscaping	across a dedicated public right-of-way	drive. The Plan Commission in their
	from property zoned for nonresidential	approvals of The Store Gas station
	use, shrub clusters shall be provided	have said they aren't overly concerned
	across 100 percent of the parking lot,	with this. If anything, maybe some
	exclusive of driveways to a minimum	Colorado Spruce could be added. Ok
	height of three feet. The shrubs shall be	4/3/14
	planted at a maximum of four feet on	
	center.	All other areas meets requirements.
	4. Abutting nonresidential property.	
	Where a parking lot abuts a property	
	zoned for nonresidential use, landscaping	
	shall be provided across 50 percent of the	
	parking lot. Such landscaping shall	
	include shrub clusters to a minimum	
	height of three feet. The shrubs shall be	
	planted at a maximum of four feet on	
	center. In addition, a mix of shade trees,	
	ornamental or evergreen trees shall be	
	planted at the equivalent of one for every	
	70 lineal feet.	N. 1.1.'C. ('
	6. Curb, gutter, and surfacing. All	Need clarification of curb. Show
	parking lots and driveways leading into	rejecting and accepting curb. Please
	Lacouleus of Loke electification of bull-transcentists	verify no mountable curb used. Also
1	parking lots shall have a bituminous	-
	asphalt or concrete surface and shall have	Sheet C7.0 should be updated to label
	asphalt or concrete surface and shall have six inch high curb and gutter around the	Sheet C7.0 should be updated to label the curb detail better for
	asphalt or concrete surface and shall have six inch high curb and gutter around the perimeter. The planning commission may	Sheet C7.0 should be updated to label the curb detail better for accepting/rejecting. Please see attached
	asphalt or concrete surface and shall have six inch high curb and gutter around the perimeter. The planning commission may allow a mountable v-type curb in certain	Sheet C7.0 should be updated to label the curb detail better for accepting/rejecting. Please see attached notes on C7. Ok 4/3/14 – no
Sec. 94.137(5) Loading	asphalt or concrete surface and shall have six inch high curb and gutter around the perimeter. The planning commission may	Sheet C7.0 should be updated to label the curb detail better for accepting/rejecting. Please see attached

docks, service yards and exterior work areas adjacent to nonindustrial uses.	work areas adjacent to nonindustrial uses shall be screened from view from adjacent business and residential properties and the public right-of-way. The screening shall consist of either of the following:  a. Solid fence constructed of commercial-grade wood or masonry wall, of a design approved by the Village, with a minimum of six feet; or  b. One hundred percent landscaping consisting of at least 75 percent	method of screening is knitted high density polyethelene. The material is designed to withstand 500 lbs per square feet. This screening fence is similar to what PGA and Ferrell Equipment uses.
Sec. 94.137(6) Open storage yards.	evergreen plant material, to a minimum height of six feet.  a. Open storage yards shall be screened on all sides by solid walls or fences (including solid doors or gates) and shall be at least eight feet tall, but in no case lower in height than the materials stored.	8' chain-link fence with barbed wire and enviro privacy screening with 88% blockage.
	b. If stored materials exceed eight feet in height, then landscaping shall be provided along the outside perimeter of that portion of the fence or wall visible from the adjacent property or public right-of-way. The landscaping shall be in addition to the fence or wall. The installed height of the landscaping shall be equal to or greater than the height of the materials being screened.	
Sec. 94.137 (7) Miscellaneous Landscaping	Retention and detention ponds.  1. Landscaping shall be provided around the perimeter of retention and detention ponds generally above the high water level. Only plants which are adapted to temporary flooding may be planted below high water level.  2. Landscaping shall be provided along a minimum of 30 percent of the shoreline of a retention or detention area. Such	Coverage not specified, the area is landscaped.
	landscaping shall consist of at least 50 percent shade trees. The balance may be landscaped with any mix of ornamental and evergreen trees and shrubs.  d. Ground signs and ground lights.  1. Ground signs. The foundation of ground signs shall be planted with shrubs,	Meets requirements

	ground cover or perennial flowers. Plants shall be selected for a mature height which will not exceed that of the sign's message.	
	2. Ground lights. Ground lights for signs shall be screened from view of the public right-of-way with evergreen shrubs or ground cover to a minimum height equal	
	to that of the lights.  e. Refuse receptacle. Refuse receptacles and waste removal areas shall be screened from view on three sides. The screening shall consist of a solid fence constructed of	Meets requirements. Located behind the fenced in yard
	masonry, or commercial-grade wood fencing and shall be a minimum of six feet and a maximum of eight feet tall. Shrub and ground cover plantings along such screens are desirable to help soften their	
	appearance. Refuse receptacles shall be enclosed on the fourth side with a gate to contain trash or other debris. The gate side of the waste receptacle shall be oriented toward the interior of the site, i.e., toward the building and away from view from	
Lighting and Ruilding Ann	the public right-of-way and adjacent sites.  bearance Standards (Sec. 94.138)	
Regulation	Required	Provided
Sec. 94.138(a)(5)	(5) All outdoor lighting for commercial, industrial and multi-family uses shall be designed, located and mounted so that the maximum illumination, as measured horizontally at the lot line, does not	Meets requirements
Sec. 94.138(a)(6)	exceed 1.0 foot-candles.  (6) All fixtures shall meet dark sky	Meets requirements
Sec. 94.138(b)(1)	friendly guidelines.  (b) Building appearance standards.	Principal Building – See comments on Sheet AE-201A. Please provide a note
	(1) The exterior walls of each building shall be constructed with face brick, or comparable material approved by the village, to cover a minimum of 60 percent of the wall area in a contiguous manner, including the building rear. Exterior Insulation Finishing Systems (EIFS) (e.g. "Dry-vit", "Sto", "Cement Board", etc.) are permitted as an accent material only	on the sheet as to how much brick is proposed on the front façade. Staff will be suggesting to the PC that due to the B-3 zoning and the fact that you are being waived the brick requirement on the other building facades due to the screening fence that you go full brick on the front façade or add add some other architectural feature such as EIFS

texture to take advantage of the design

bands and trim.

flexibility it affords. EIFS can be used on

canopies, spandrels, fasciae, soffits, accent

architectural design for the front façade especially if the large doors will be

allowed. Per code they should not face

the street frontage. Staff also suggests

		the door color be changed to a brown or almond instead of white to blend them into the façade better. White will stand
		out and make them noticeable from the street. Ok $4/3/14 - 60\%$ met on front
		façade
		Accessory Building – no brick proposed. Material proposed is metal wall panel. No color is listed. Suggest almond is used so it matches principal building. Need verification that this accessory building will be fully
		screened by fence otherwise recommend brick on west elevation.
		See comments on sheet AE-201B Ok
		4/3/14 – entire building is located behind the privacy fence
Article VIII Off-street Parkin	g and Loading	bennia the privacy renee
Regulation	Required	Provided
Sec. 94.150(a) Size of	Stalls at least 10'X20' long exclusive of	Meets requirements
parking spaces.	access aisles	
	Access aisles shall be no less than 24 feet	
	wide for one-way and two-way 90-degree	
Sec. 94.150(b) Off-street	angled spaces Accessory, off-street parking shall be	34 parking spaces are shown. – meets
parking requirements.	provided as specified in the following	requirements
	schedule of required car parking by <u>use</u> :	
	1 per 250ft <sup>2</sup> 24 spaces are required	
Sec. 94.151 (a) Uses affected	In any commercial or industrial district,	Meets requirements
(loading spaces)	and where required by the plan	
	commission of institutional uses, off-street truck loading and unloading space shall be	
	provided in addition to the passenger car	
	spaces required in section 94.150.	
Sec. 94.151(c) Size of	For trucks considered of in-city size such as panel trucks and vans, the space	Meets requirements
loading space.	provided shall be not led than twelve feet	
	wide and thirty feet long, and may be	
	marked within a parking lot aisle if no other parking spaces are blocked. For	
	trucks considered suitable for inter-city	
	transport, the space provided shall be no	
	less than twelve feet wide and sixty feet	
	long, with an overhead clearance of not less than 15 feet. For uses containing more	
	than 3,000 square feet of floor area, the	
	space marked shall normally be separate	
	from any parking lot aisle or parking spaces unless delivery or pickup activities	
	are scheduled for hours when the lot is not	
	in use.	

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Sec. 94.151	Determination of need. The exact need	(2) Meets requirements.
(d)Determination of need	and suitability of the space provided shall	
(loading spaces)	be determined by the plan commission in	
	connection with their review of building,	
	site and operational plans as set forth in	
	article V of this chapter; however, as a	
	general guideline, the applicant and the	
	commission shall consider the following:	
	(1) Farancial and the farance	
	(1) For commercial uses, one twelve-	
	by-30-foot space for each 3,000	
	square feet of floor space.	
	(2) For commercial, industrial and	
	wholesale, one twelve-by-60-foot	
	space for each 10,000 square feet	
Sec. 04.152 (-)S	of floor space.	Evanada raquiramenta
Sec. 94.152 (e)Surfacing	New driveways and parking spaces shall	Exceeds requirements
	be paved with a minimum thickness of 3	
	inches of asphaltic concrete, concrete, or bituminous surfacing over a minimum	
	thickness of 4 inches of an aggregate base	
	material. Gravel may be allowed in	
	portions of commercial or industrial zoned	
	parking lots with plan commission	
	approval.	
Sec. 94.153 Commercial,	(1) All parking in commercial, industrial	Meets with the exception of the gravel
industrial and multi-family	or multi-family zoning districts shall be on	storage yard which requires Plan
1	all-weather paved parking lots, which lots	Commission approval. Also if gravel is
parking lot requirements (a)	are set back from property lines, except	provided, will need verification as to
location and paving	where they are interconnected across	how many feet of asphalt tracking pad
	property lines, to allow space for	will be provided out to Christie. See
	landscaped areas and screening made up	Sheet C3.0. Plan Commission approval
	of fences, landscaping, or combination of	required for the gravel storage yard
	the two. Curb and gutter, meeting village	
	specifications, shall be used in the	Need clarification of curb. Show
	construction of all new parking lots.	rejecting and accepting curb. Please
	Mountable curbing may be used on	verify no mountable curb used. Also
	portions of the parking lot in areas where	Sheet C7.0 should be updated to label
	snow will be stored with plan commission	the curb detail better for
	approval.	accepting/rejecting. Please see attached
		notes on C7. Ok $4/3/14 - no$
		mountable curb used on project
	(2) Paving shall consist of concrete,	Meets with the exception of the gravel
	blacktop, patio block or paver brick,	storage yard which requires Plan
	which surfaces shall be maintained to	Commission approval. Also if gravel is
	keep them from deterioration, which	provided, will need verification as to
	affects drainage flow, creates erosion or	how many feet of asphalt tracking pad
	generates dust. The paving of new lots	will be provided out to Christie. See
	may be delayed for up to one winter	Sheet C3.0 Ok 4/3/14 – tracking pad
	season to allow for settlement of	verified. Plan Commission approval
	underlying soil and aggregate materials, if	required for the gravel storage yard
	approved by the plan commission. Gravel	
	may be used on a portion of the parking	
•	Lat with plan commission engraved	İ
	lot with plan commission approval.	
	(3) Landscaped areas around parking lots and along residential drives measured to	

the property line shall be no less in width	
than the smallest side or rear yard space	
required by the zoning district for	
accessory structures, but in no case less	
than three feet. For the purposes of this	
regulation, perimeter driveways and	
queuing or service lanes shall be	
considered parking lots and subject to	
providing a landscaped area, and	
screening as set forth in subsection (b) of	
•	
this section.	

### **STAFF COMMENTS:**

# ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO PLACEMENT ON THE PLAN COMMISSION AGENDA

Any item in the above document, shown in **red**, should be looked at by the Applicant and commented on and/or updated on the specified sheet. Below is a summary of these items:

Applicant's comments were received on 4/3/14 and are shown in purple.

P •		b comments were received on well a sine with the purpose
	Ple	ease answer the following questions from staff:
		Does the security/privacy fence go all the way around the yard, including screening the cold storage building? Yes – see sheet $C8.0 - OK 4/3/14$
		How will the snow be handled on the site? Will it be removed from the site or will it be stored somewhere on site? If stored onsite, please show location on one of the plans. In the pond thru gate – see sheet $C8.0$ - OK $4/3/14$
		How will the outside mechanical and electrical equipment – gas meters, HVAC, Air Conditioning Units – be screened from the public's view? Please provide locations on plans and/or tell us how they will be screened and where located. All exterior equipment is within the fenced are or screened with a solid fence. – OK $4/3/14$
	Ple	ase make sure to provide a revision date on all sheets. OK 4/3/14
	Sto	orm Water Management Plan
		In the opening paragraph under Overview of Project Plan, as you updated this plan you forgot to
		remove the references to the convenience store, quick serve restaurant, and fueling areas. $-$ OK $4/3/14$
		DPW would like to see a detail of the control manhole with the 2' sump and snout oil and debris stop (this was a comment on the Schierl site as well and I don't believe this has been provided yet) – see $C7.1 DTL$ . $2 - OK 4/3/14$
		You should list what material you are using for the storm pipe and provide more information on how you will be connecting to the existing manhole on CTH J. See sheet $C5.0 - RCP \& HDPE - OK 4/3/14$
		On the erosion control plan, I don't' see where they are calling out the silt fence, it looks like it's on the drawing but they should explicitly state what that line type is. Updated on Sheet $C4.0 - OK$ $4/3/14$
	Pla	an Sheet C1.0 – Existing Site Plan
		References to "Co. Rd. Jj" on these plans need to be changed to "Schofield Avenue". – OK 4/3/14
		Incorrect address used. Should be 6652 County Road J not 6606. OK 4/3/14  Parking lot setback should be 15' along Christie and at the corner of CTH J and Christie. Currently
	DI	10 feet is shown. Please revise OK 4/3/14
		Incorrect address used. Should be 6652 County Road J not 6606. OK 4/3/14

	Parking setback does not meet code along Christie Ln. One spot shows 14.8' and the other portion the dimension for the parking setback does not appear to be labeled. Please revise and label. $OK$ $4/3/14$
	Please provide the dimension of the asphalt tracking pad. It should be at least 50' in length. Please note the use of gravel will need to be approved by the Plan Commission at their meeting. Provided
	45'9' asphalt tracking pad on 4/3/14 revision  What is the proposed gate on the parth side of the property to be used for? Access through it would
	What is the proposed gate on the north side of the property to be used for? Access through it would go through the wet retention pond. Snow removal. 4/3/14
	Please provide documentation that Gary Guerndt, PGA/Fritz Schierl, Schierl Group, have come to an
	agreement with County Concrete to move their existing driveway 100 feet as required by the Public Works Director (see attached pdfs). See attached letter provided 4/3/14
Pla	an Sheet C4.0 – Site Grading and Erosion Plan
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
	Per Sec. the FFE must be 18 inches above the grade of the road. Please prove the grade of the road
	on the plan. Current building is at 1241 FFE and the Schierl The Store is set at FFE of 1239.5. DPW
	staff is questioning if they should be set at the same FFE. Maybe Rettler can verify this and adjust
	both sites so they are the same FFE or explain why they should be different. Please add the
	centerline elevation to the plan for both County Road J and Christie Ln. Ok 4/3/14 – Per the
	applicant – At the intersection of County Road J and Christie Lane there is a 1242' contour. Going
	west on Christie Lane, there is a 1238' contour between the two proposed site entrances. Going north on County Road J, there is a 1239' contour and at the intersection of County Road J and Schofield
	Avenue there is a 1238' contour. The finished floor elevations for the Lincoln Site are 1241' and the
	finished floor elevation for Schierl (the Store) has been changed and is now 1240.50°. This change
	helps with storm water drainage and cut & fill balance.
Pla	an Sheet C5.0 – Site Storm Sewer Plan
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
	Please provide elevations on the storm sewer structures. Ok 4/3/14
Pla	an Sheet C6.0 – Site Utility Plan
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
	Please provide updated notes as stated in red on the plan. Ok 4/3/14
	What is the waterline for going to the cold storage building off of Christie Lane? We're assuming
	that is for fire protection but we would need a detail for how you are proposing to connect that line and similarly to the other connection it should be Ductile Iron pipe not HDPE. Ok 4/3/14
Pla	and shimlarly to the other connection it should be Ducthe from pipe not 11D1 E. Ok 4/3/14
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
	Please label the curb and gutter detail. Also please verify no mountable curb is planned to be used
	Ok 4/3/14 – there will be no mountable curb used per the applicant
Pla	an Sheet C8.0 – Landscape Plan
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
	Remove Red Ash from Landscape Plan. Ok 4/3/14
	Recommend using another tree besides maple. If you still want to use maple, discourage using a red
	maple as we have found that the red varieties do not do well in landscaping around the village. Ok
	4/3/14
Ш	What are you planning on the west property line (on the west side of the driveway) for landscaping? Will there be grass? It is not labeled as anything. Per code there is to be screening (Per Sec.
	94.137(4)4. Suggest adding some Colorado Spruce along there or some shade or ornamental trees.
	Ok 4/3/14
Pls	an Sheet C9.0 – Lighting Plan –
	Incorrect address used. Should be 6652 County Road J not 6606 Ok- Updated plan received 4/9/14
Pla	an Sheet AE-201A – Exterior Elevations
	Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14

- □ Please provide a note detailing the percentage of brick used on the front façade. Ok 4/3/14 Applicant is providing 60% concrete masonry veneer split face brown on the front façade. The remainder of the building will be almond metal wall panel. The rear and sides of the building will be located behind the privacy fence and unable to view from the road.
- Please note that since this property is in a B-3 zoning district, staff will be recommending to the Plan Commission not to allow the metal panels to be used on the front façade. Would suggest you discuss with the owner to use all brick or an accent material like EIFS on the front instead. Also suggest the overhead door colors be changed from white to brown or almond to better blend with the facade. Per code, dock doors are not to face street frontages so something should be done to blend them into the façade. Staff feels both are a reasonable request as you are not being required to use 60% brick on the other facades of the building as required by the code due to you not being able to see it with the yard privacy fencing. Ok 4/3/14 - Applicant is providing 60% concrete masonry veneer – split face brown- on the front façade. The remainder of the building will be almond metal wall panel. The rear and sides of the building will be located behind the privacy fence and unable to view from the road. They have changed the overhead doors to an almond color instead of white which should make them blend in with the building front facade. With our request, the owner is willing to go 100% masonry on the front façade if the Village requires it. The architect feels that the building aesthetics are better with a material change that has ties to the remainder of the building. They also said that EFIS is a material that is not well received by liability insurance companies and therefore not an option by the owner. Staff is ok with this if the Plan Commission is. They do meet code with the 60% brick requirement and the 8 foot screening fence around the accessory building and the side and rear of this building.

#### □ Plan Sheet AE-201B – Exterior Elevations

- ☐ Incorrect address used. Should be 6652 County Road J not 6606. Ok 4/3/14
- □ Please provide the color of the metal panels used on the cold storage building. Suggest that almond is used so that this building matches the main building. Ok 4/3/14 the accessory building will be almond metal wall panels.

Please note: corrections to plans and any supplemental written explanations should be provided to Village Planning and Development Staff by 8:00 am on <u>Thursday, April 03, 2014</u> to be guaranteed to be reviewed for the <u>Monday, April 14, 2014</u> Plan Commission meeting. Plans received after this date will be reviewed for the <u>Monday, May 12, 2014</u> meeting. Applicant's comments were received on 4/3/14 and are shown in purple.

#### ITEMS NEEDING PLAN COMMISSION APPROVALS:

1. Use of gravel instead of asphalt or concrete in the fenced storage yard. – Staff recommends approval of the use of gravel in the storage yard as the area is completely screened from view of the ROW.

Below is a list of items Staff is recommending to the Plan Commission as contingencies of approvals.

# ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO BUILDING PERMIT ISSUANCE:

Prior to the building permit being issued by the Village Building Inspector, the Applicant/Owner will be submit to the Director of Planning & Development the following:

- 1. State Approved Plans can be submitted to the Building Inspector.
- 2. Commercial Occupancy Permit Application for Lincoln Contractors.

# ITEMS NEEDING TO BE ADDRESSED BY APPLICANT PRIOR TO FINAL OCCUPANCY PERMIT ISSUANCE:

Prior to Final Occupancy being issued by the Village Building Inspector, the Applicant/Owner will submit to the Director of Planning & Development the following:

- 1. Any Fire Alarm and Fire Suppression System Plans. (These will be forwarded to the S.A.F.E.R. Fire Chief)
- 2. A pressure test on the water main of 150psi for 1 hour, disinfected and safe bacteriological samples obtained prior to setting a meter and placing service. Copies of these results must be submitted to the Director of Planning & Development who will forward to the Water Utility.
- 3. Provide written documentation from the WDNR that you have submitted and received Notice of Intent (NOI) for stormwater.
- 4. Business Owners plan for addressing the building per Chapter 14 of the Village of Weston Ordinances so the address can be seen from the public right of way.
- 5. Separate Sign Permits. Location of proposed monument sign shown on Landscape Plan. Sign permits will still need to be applied for separately prior to time of sign installation.

# VILLAGE OF WESTON PLAN COMMISSION REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Weston Center (Lokre Lifestyle Center) Request for change to the Approved OPD project Plan	
ENERGOV#	CSIT-3-14-1435 – Amendment to OPD – Architectural Review Building #2 – 4002 Schofield Avenue	
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development	
REPORT DATE:	April 11, 2014	
PLAN COMMISSION DATE:	April 14, 2014	
STAFF RECOMMENDATON:	Recommend approval of the façade change request for building #2 for the Family Dollar sign fascia enhancement but denial of the request to change half of the awnings on building #2 to red.	
ADMINISTRATOR COMMENTS:		
No additional comments:		
See attached comments:	<del></del>	
See attached comments.		
REQUESTED ACTION: The owner of the Weston Center is asking for subsequent change of their OPD per Sec. 94.148(c) as they would like to make façade changes (change awning colors and fascia enhancement for a sign for a new tenant).		
APPLICANT: Lokre Development - Rolly Lokre and Victor Anderson		
PROPERTY OWNER: Lokre Development		
PROPERTY DESCRIPTION: 4002 Schofield Avenue		
ZONING: B-3 with OPD		
SURROUNDING LAND USES: commercial and residential		

#### BACKGROUND INFORMATION:

The Weston Center Development OPD was approved in 2006 when building #2 was added to the development. The OPD was amended in 2013 to include revised locations for building #3 (Dunkin' Donuts) and building #4.

The owner has a new tenant, Family Dollar, in the building #2 and they recently went ahead and changed the awnings from green to red without consulting the Village. All façade changes are required to be approved by the Plan Commission, regardless of if an OPD is present or not, per zoning code regulations. Staff notified Victor Anderson of this and requested they fill out

an application for a façade change to bring to the Plan Commission for approvals. They were also notified that because this change to the façade was done without Village approvals, the building was out of compliance with municipal ordinances and staff was unable to give any further permits on the project.

This caused some issues since Family Dollar needed temporary occupancy in order to have corporate order their merchandise and Scott was unable to do so until the building was in compliance. It also caused issues for another new tenant in the building, Marathon Endurance. After the awnings changed, we received a sign permit request we couldn't process and they requested final occupancy inspections which we were unable to do because the development had violated the zoning code.

On 4/9/14 the awnings were changed back to green so the building is now back into compliance. Staff has issued all the outstanding permits for Marathon Endurance. The developer would still like to proceed with the request for the façade changes.

Staff felt the red awnings did not fit the façade as they were not very well matched to the building brick and made the awnings really stick out and detract from the overall look of the building. We would like to discourage the Plan Commission from making this awning color change request as we feel it will be unmanageable in the future. What will we do if every tenant in this development wants a different color awning? It would definitely detract from the look of the development in the future if that was allowed. What would we say if Cutie Pie Studios came in requesting bright orange awnings and Shanghai Grill lime green?

We recommend you deny the red awnings. Lokres will tell you that they put this in the lease but I don't feel that it is an item they have control over. The Village has architectural control of this development due to the zoning regulations so it is PC call. They have already changed them back to the original so I would request denying the request to allow the change in awning color.

If you want to allow them to change out the awnings. I believe it should be a red brick color not bright red and it should be the entire building awnings, not just the ones for Family Dollar.

In regards to the Family Dollar Sign fascia enhancement. Staff has no issues with this upgrade and recommends approval.

#### CRITERIA FOR REVIEW:

Article VIII Planned Development Projects	Meets Criteria?	Notes
1. 94.148(c) Subsequent change.	Yes	Staff would judge this change for the sign fascia enhancement to be insubstantial. This means the PC can approve the change and direct staff to place it in the project file for this OPD development. It does not require a public hearing.
2. Sec. 94.147(7) d. that architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious service area compatible with and not	Yes & No	The proposed sign fascia enhancement will be aesthetically pleasing and will meet this section. Staff does not feel the changing to the red awnings on part of the building will meet this as the red is too bright and does not compliment the building façade.

adversely affecting the
aesthetics, enjoyment or
property values of the
surrounding neighborhood.

# VILLAGE OF WESTON PLAN COMMISSION REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Weston Center (Lokre Lifestyle Center) requirement of Master Sign Plan	
ENERGOV#	N/A	
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development	
REPORT DATE:	April 11, 2014	
PLAN COMMISSION DATE:	April 14, 2014	
STAFF RECOMMENDATON:	Recommend the Plan Commission make a motion to require a master sign plan be developed by Lokre for the proposed Development Sign.	
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:		
requi deve Deve multi some all th for o	is requesting the Plan Commission make a motion to life a master sign plan be developed by Lokre for lopment as a whole but most importantly for the elopment Monument Sign planned for out front. This is a liple building and multi-tenant development and staff feels e planning should be done on the developer's part to ensure heir tenants have access to the large sign which is planned but front of the development and the integrity of the lopment is maintained by uniform signage on the building.	
APPLICANT: Lokre Development - Rolly Lokre and Victor Anderson		
PROPERTY OWNER: Lokre Develop	oment	
PROPERTY DESCRIPTION: 4002 So	chofield Avenue	
ZONING: B-3 with OPD		
SURROUNDING LAND USES: comm	nercial and residential	

#### BACKGROUND INFORMATION:

Building #1 in this development was approved in 2004 and in 2006 the applicant requested an OPD amendment to create the then Weston Lifestyle Center. The plan was to have 4 multitenant buildings on the property when it was complete.

The OPD was amended in 2013 to include revised locations for building #3 (Dunkin' Donuts) and building #4. They also shortened the name of the Development to Weston Center.

A few years ago, two large monument/pylon signs were approved at each driveway entrance to the development. The electric was installed to each of the planned sign locations but the signs were never installed.

Over the years, tenants in building #1 have become understandably frustrated by the lack of signage made available to them on the site. So much so, that we received a number of letters from these businesses in 2013 when the OPD was amended to include the new location of building #3 (Dunkin' Donuts project). As part of the OPD amendment, the developer was to install a monument sign prior to the final occupancy being issued for building #3.

The applicant has decided not to install the two signs but instead has plans to install one large sign on the corner. Staff has been working with the sign company to get the sign to comply with zoning code regulations for height. They have plans to add a message board which is good and have 14 spots for smaller tenant signs on this double sided sign.

We do have concerns as it appears that they are not adequately planning for future tenants on this sign. We received a sign permit request from Family Dollar with a tenant panel sign which would take up 6 tenant spaces. With the complaints we have heard in the past from some of the tenants from building #1 we would like some guidance from the Plan Commission on the monument sign. We know right now that building #1 has 7 tenants. Building #2 will have 3 but could have up to 5 – Family Dollar is taking up 3 spots in the building. Building #3 has 3 and Building 4 is unknown. Based on this knowledge staff feels that Lokre should come up with a uniform sign plan so that Village staff knows exactly how many spaces a tenant should or could have on the sign. It would also be nice if they restricted each tenant space to a certain amount of signage on the building too. Family Dollar recently sent us some large signs.

The creation of a master sign plan for the development would be very helpful for staff with regulating signage needs on this property and staff recommends the Plan Commission make a motion to request this of the developer.

### VILLAGE OF WESTON PLAN COMMISSION REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Affidavit of Correction to remove the 50 foot Village building setbacks and the 50 foot wetland setbacks on the Plat of Weston Business & Technology Park - South
ENERGOV#	N/A
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development
REPORT DATE:	April 10, 2014
PLAN COMMISSION DATE:	April 14, 2014
STAFF RECOMMENDATON:	Recommendation to approve the removal of the 50' building setbacks along Progress Way and 50' wetland setbacks, per the specifications, conditions, and limitation of this submitted staff report and forward to the Board of Trustees for their consideration
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	
REQUESTED ACTION:	Recommend to the Board for approval the removal the 50 foot Village building setbacks and the 50 foot wetland setbacks on the Plat of Weston Business & Technology Park – South and authorize the creation of a Resolution and an Affidavit of Correction which the Board would approve at their 4/21/14 meeting to remove these setbacks.

PROPERTY OWNER: Village of Weston (Lot 1-5, 7 and 9; Outlots 1-3), FTF Properties, LLC (Lot 6), and Matthiae MRM, LLC (Lot 8)

PROPERTY DESCRIPTION: Being a subdivision of part of the southeast quarter of the southeast quarter of Section 23, and part of the southwest quarter of the southwest quarter of Section 24, and being a resubdivision of Marathon County Certified Survey NO. 14815, being a subdivision of part of the southeast quarter of Section 23, and part of the southwest quarter of Section 24, all in Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. The Plat of Weston Business and Technology Park - South was filed in Cabinet 3 of Plats on Page 495 as Document No. 1483321, Marathon County Register of Deeds on July 11, 2007

ZONING: LMD Light manufacturing and distribution

SURROUNDING LAND USES: Transportation (STH 29), vacant land, manufacturing

BACKGROUND: In 2007, the Village platted the Smith property to develop Weston Business and Technology Park – South. At the time a 50' Village building setback, 50 foot required highway DOT setback and a 50 ft wetland setback were placed on the plat.

We are asking the Plan Commission to approve the removal of the 50' Village building setback along Progress Way and the 50' wetland setbacks from the Plat (highlighted in yellow). The Village is actively marketing the lots for development and the 50 ft wetland and building setback has made Lots 1 and 2 virtually unmarketable due to the lack of buildable land left after you add the setbacks and deal with the ANR pipeline.

Staff has been looking into why the building setbacks were shown on the original plat. Typically they are not shown, at least for Village building setbacks, as that can change. Which is the case with this plat when we rezoned the plat properties to LMD Light manufacturing and distribution back in 2011.

We believe the current setbacks came from the Covenants that were developed for the original Business & Technology Park on the north side of STH 29. I learned recently, these covenants were never amended to add Business Park South so they would not be required to apply to the lots. The setbacks would instead be dictated by the zoning district the plat was located in. Also, in the sale documents with current Business Park tenant, From the Forest, it appears the zoning had at one time been planned for M-1 Manufacturing and warehousing, which has a 50 ft street yard building setback. For whatever reason, the property was instead zoned to BP Business Park which had at the time a 40 ft setback and as stated earlier, in 2011 we rezoned the plat to the new LMD zoning district. The LMD district has a 40 ft street yard building setback.

Staff has discussed the reason for the 50' setback with the WDNR and Army Corp of Engineers. Both agencies are stating they are not requiring the setbacks. CWE has found the setback to be strictly a Village requirement. WDNR allows building right up to the edge of the wetland, however, there are WDNR setbacks for storm water discharge (things like runoff from a parking lot). The setback, however, does not need to be shown on the plat, as it currently is. The buyer would be responsible for complying with the storm water discharge setback, not the village. This will be reviewed during site plan review as they will be project specific.

Since the Village is actively negotiating with potential buyers of lots in Weston Business and Technology Park – South, we are trying to clean up the Plat to make the lots more saleable. Removing the 50 foot setbacks will help increase the buildability and the salability of the lots, especially Lots 1 and 2 next to the wetlands. The current zoning, LMD, will allow for a 40 foot street yard setback and per Sec. 94.125(b)(8), the wetland setback will instead be 10 feet.

<u>Chapter 236</u> of Wis. State Statutes, specifically Chapter 236.295, allows for the correction of a recorded plat via an affidavit to correct details on a recorded plat. If further requires that this affidavit be approved prior to recording by the governing body of the municipality in which the subdivision is located. Therefore, the Village Plan Commission and Board of Trustees would first need to approve the corrections. I have attached a draft Resolution which the Board, following an affirmative recommendation from the Plan Commission, could approve at their

4/21/14 meeting. CWE has put together a draft Affidavit of Correction which would then be used to record the Board adopted resolution and correct the plat to remove the setbacks.



Meeting: **BOARD OF TRUSTEES** 

Members: White {c}, Berger, Ermeling, Jaeger, Porlier, Schuster, Ziegler

Location: Municipal Center (5500 Schofield Ave); Board Room

Time: Monday, April 7, 2014 @ 6:00 P.M.

#### **MINUTES**

#### 1. Call to Order.

- 1.1 Pledge of Allegiance.
- 1.2 Roll Call of Attendance.

White called the meeting to order at 6:00 pm. Present: White, Schuster, Berger, Porlier, Jaeger Ermeling and Ziegler. Administrator Guild, Director of Public Works Donner, Deputy Director of Public Works Wodalski, Director of Planning and Development Higgins, Taxpayer Relations Coordinator Hodell, Technology Director Crowe, Director of Finance Jacobs, Clerk Weinkauf, Police Chief Sparks and Fire Chief Wirth were also present. There was one audience member present.

#### 2. Comments from the public.

White asked for comments from the audience. There were no comments.

**3.** Communications – All standing and non-standing committees, commissions or boards. – Acknowledgement of meeting minutes and place on file with the Clerk.

\*M/S/P Jaeger/Schuster: to acknowledge the Committee meeting minutes and place on file.

#### 4. Consent Items.

- 4.1 Recommendation to approve prior meeting minutes of 03/17/2014.
- 4.2 Recommendation to approve operator licenses.
- 4.3 Recommendation to approve Jessica Winter as Agent for The Store, 4005 Westview Blvd.
- 4.4 Recommendation to approve an ordinance which requires that escort services be licensed.
- 4.5 Recommendation to approve the ordinance to repeal and recreate Chapter 14, Buildings and Building Regulations, as recommended by the CLPS Committee and Village Building Inspector.

\*M/S Jaeger/Berger: to approve Consent items 4.1 to 4.5. Q/White asked if the requirement to have a licensed electrician applies to homeowners that do their own electoral work. Staff was unsure and said they would need to look into it. Jaeger withdrew her original motion. \*M/S/P Jaeger/Berger: to approve Consent items 4.1 to 4.4 and refer item 4.5 back to staff.

### 5. Business Items for Consideration.

5.1 Recommendation by the Community Life and Public Safety Committee to put the creation of an ordinance which prohibits and restricts cell phone use while operating a motor vehicle on the November election ballot as an advisory referendum.

Schuster said the vote at the Community Life and Public Safety Committee was 2 to 1 to recommend the Board approve having an advisory cell phone referendum on the November ballot. \*M/S/P Schuster/Porlier: to have staff draft a referendum question for the November ballot and bring back to the Board for review. Jaeger and Berger voted no. Motion passed.

- 5.2 Convene into closed under Wis Stats §19.85 (1) (e) for bargaining and negotiations regarding sale of land and offers to purchase in the Weston Business Park. \*M/S/P Schuster/Ziegler: to convene to Closed Session at 6:10 p.m. Roll Call Vote: All were in favor.
- 5.3 Reconvene into open session and take action on closed session item.

  \*M/S/P: Jaeger/Ziegler: to reconvene from Closed Session at 6:38 p.m. Roll Call Vote:
  All were in favor. No action was taken in closed session.

#### 6. Reports from Staff

#### 6.1 Clerk/Employee Resources Manager

Weinkauf reported there was a 9 percent voter turnout for the Spring Election.

#### 6.2 Fire Chief

Wirth reported there were 74 ambulance runs and 30 fire calls to date. He also reported he recently heard from two communities wanting more information on the SAFER District

#### 6.3 Parks Superintendent

Osterbrink reported staff is working on tree pruning. The rails on the trail have been removed for thawing of the river. Brad Mroczenski completed some lifeguard training and will be training again this coming weekend. The first baseball game in Weston is scheduled for the beginning of May.

#### 6.4 Plan/Dev Director

Higgins said she received an answer from the Building Inspector regarding the licensed electrician. He indicated that minor wiring can be done by a homeowner. The Board was unsure of the meaning of minor wiring. Staff will bring back more information. Higgins also reported a Comprehensive Plan Steering Committee is tentatively scheduled for May 1<sup>st</sup> and an Intergovernmental Zoning Steering Committee is tentatively scheduled for April 30<sup>th</sup>.

#### 6.5 Police Chief

Sparks expressed his concerns with the special event requests. He said some of the group events that use the main roads to cross and are timed events tend to be problematic for the Department. They need to be made aware of safe alternative routes. There was a short discussion on charging for police services.

#### 6.6 Public Works Director

Donner gave an update on the American Water Works Association event he attended this last week in Washington, D.C.

## 6.7 Finance/Assessor

Jacobs reviewed the Assessor report, which was attached to the agenda. He also reported the Village's preliminary audit work has begun.

#### 6.8 **Technology Director**

Crowe reported he is currently working on some Outlook calendar issues.

#### 7. Reports from Administrator.

Guild gave and update on the intergovernmental agreement with the Village of Kronenwetter. He is working with Attorney Yde on revising some documents related to the Everest Metro Police Department and the Municipal Court. He recently had a meeting with the School Superintendent and the Park Superintendent to discuss the possibility of recreation cooperation between the school district and the Village. He also said he received an update regarding the public sector health insurance exchange that is being discussed by the larger public sector agencies. He received a request from both Ed Prohaska and Intercity State Bank asking if the Village would be interested in purchasing land from them. Staff is in the process of recruiting an intern to work on the Village's recycling program. Staff has also been working on the long term capital equipment plan for the village. Staff is working on a monthly printed newsletter again. This would be funded through advertising.

### 8. Remarks from President/Trustees

Schuster expressed his concerns regarding a monthly newsletter and funding it through advertising. He would rather see the Newsletter published the way the Village did in the past, which was on a quarterly basis and without the advertising. The Board members were all in agreement. Ermeling asked why the closed session meetings are placed in the middle of the agenda. She would like to see that at the end of agenda. Jaeger and Ziegler do not mind it being in the middle of the agenda. Berger said he would be absent from the April 21<sup>st</sup> meeting.

### 9. Adjourn.

White adjourned the meeting at 7:25 p.m.

Respectfully,

Sherry L Weinbaug

Sherry Weinkauf Village Clerk

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Report Criteria:

Check.Check Issue Date = 03/13/2014-04/16/2014 Check.Check No = 38641-38842

Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount	
03/13/2014	38641	14370	SCHMIDT, GREGORY	ASSESSOR SERVICES - 1ST QTR 2014	1	8,625.00	
03/13/2014	38642	19140	YAEGER AUTO SALVAGE INC	(2) MONITOR DISPOSAL FEE	1	1 30.00	
03/19/2014	38643	20528	ADVANCED DISPOSAL SERVICES	8-YD CARDBOARD CONTAINER: FEB 2014	2 21.25		
				10-YD DUMPSTER: FEB 2014	1		
				45-GAL CARTS (677): FEB 2014	2	4,062.00	
				RECYCLING PICK-UP (4703): FEB 2014	3	9,406.00	
				90-GAL CARTS (4026): FEB 2014	1	28,182.00	
Total 38	3643					41,776.25	
03/19/2014	38644	310	AFLAC	2/7 & 2/21/14 PAYROLLS	1	574.88	
03/19/2014	38645	370	AIRGAS USA LLC	2029372: PROPYLENE	1	51.26	
				2029372: CARBON DIOXIDE, INDUSTRIAL OXYGEN	1	114.75	
Total 38	3645					166.01	
03/19/2014	38646		ANDERSON BROS & JOHNSON	SAND (TO MIX WITH SALT): 469.7 T	1	2,606.88	
03/19/2014	38647	20791	ANDERSON, DAWN	REIMB: BOTTLED WATER WHILE CONNECTED TO PRIVATE WELL DUE TO WTR MAIN FROZEN	1	17.97	
03/19/2014	38648	1030	AT&T MOBILITY	WIRELESS: 2/27-3/26/14	2	39.99	
				WIRELESS: 2/27-3/26/14	1	64.63	
				WIRELESS: 2/27-3/26/14	3	94.63	
Total 38	3648					199.25	
03/19/2014	38649	1590	BENDLIN FIRE EQUIP CO INC	MED GAS FOR AMBULANCE	1	324.95	
03/19/2014	38650	20050	BUBRICK'S COMPLETE OFFICE	PENS	2	3.30	
				STAPLER	2	13.34	
				STAPLER	3	19.32	
				MARKER CADDY	1	28.45	
				CLIPS, FOLDERS, RUBBERBANDS	1	44.64	
				CHAIR MAT	3	55.37	
				(2) ATOMIC CLOCKS	4	151.22	
Total 38	3650					315.64	
03/19/2014	38651	2330	BUSINESS SERVICE CENTER INC	ANSWERING SERVICE: 3/10-4/6/14 (ADDL CHARGES DUE TO WATER SERVICE FREEZE-UPS)	2	36.75	
				ANSWERING SERVICE: 3/10-4/6/14 (ADDL CHARGES DUE TO WATER SERVICE FREEZE-UPS)	1	498.00	
Total 38	3651					534.75	
03/19/2014	38652		Information Only Check				
03/19/2014	38653	4400	CARDMEMBER SERVICE	TATRO - CELL PHONE BATTERY	7	8.00	
				GUILD - DROPBOX SOFTWARE UPGRADE	5	9.99	
				SHIPPING CHARGES FOR RETURNING 6 WIRELESS KEYBOARDS	8	10.93	
				DONNER - PARKING UTILITIES LEG DAY IN MADISON	20	12.00	
				GUILD - MONITOR CABLES	1	23.98	
				FIBER OPTIC PATCH CABLES	13	34.18	
				FUEL FOR BLAZER - TRIP TO PICK UP VAC UNIT	16	45.01	
				DONNER - WCMA CONFERENCE	17	50.00	

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
				DONNER - WCMA CONFERENCE	18	75.00
				DONNER - WCMA CONFERENCE	19	75.00
				WEINKAUF/BUDNICK WMCA MEMBERSHIP DUES	12	100.00
				WGFOA CONFERENCE FOLDERS	9	100.00
				YMCA FOLDERS/BROCURES FOR SWIM EVENT	6	107.19
				GUILD - MONITOR STAND (REFUNDED ON NEXT BILL)	2	145.57
				WODALSKI - APWA MEMBERSHIP	21	189.00
				SAFER GOOGLE APPS FOR BUSINESS - EMAIL	10	299.81
				GUILD - APA ONLINE COURSE	3	330.00
				SAFER GOOGLE APPS FOR BUSINESS - EMAIL	11	331.24
				CONSTANT CONTACT RENEWAL FEES	15	336.00
				GUILD - ICMA BOOKS	4	385.80
				DOCUMENT SCANNER FOR FINANCE DEPT	14	443.09
Total 3	8653					3,111.79
03/19/2014	38654	20478	CARGILL INC	SALT: 211,800 LB	1	7,094.24
				SALT: 266,420 LB	1	8,923.74
Total 3	8654					16,017.98
03/19/2014	38655	2500	CARQUEST AUTO PARTS	OIL FOR WALKER MOWER	1	4.59
				#104 & #88: MIRROR & OIL FILTERS (3)	1	28.13
Total 3	8655					32.72
03/19/2014	38656	3150	COLUMBIA PIPE & SUPPLY CO	#51 PARTS	1	18.00
03/19/2014	38657	3220	CONTROL CONCEPTS TECH	#51: PARTS	1	23.19
				#116: PARTS	1	29.14
Total 3	8657					52.33
03/19/2014	38658	20326	COUNTRY LANE FARMS	RESTITUTION 32310158: FEB 2014	1	397.00
03/19/2014	38659	20211	CRONIN, JENNIFER	RESTITUTION #N1179817: FEB 2014	1	38.50
03/19/2014	38660	2660	CWE INC	LANDFILL GES O&M: 1/26-2/22/14	1	1,746.10
03/19/2014	38661	20629	DASH INC	2014 TC-WIN SOFTWARE LICENSE	1	195.00
03/19/2014	38662	19843	DIVERSIFIED BENEFIT SERVICES	FLEX ADMIN FEES: FEB 2014 (8)	1	68.60
				FLEX ADMIN FEES: FEB 2014 (8)	2	68.60
Total 3	8662					137.20
03/19/2014	38663	4910	FASTENAL COMPANY	#37 PARTS	1	1.47
				#116 PARTS	1	3.20
				11" BLACK CABLE TIES (300)	1	6.06
				SHOP SUPPLIES: MISC MACH SCRW NUT Z	1	6.49
				#116 PARTS	1	9.73
				#116 PARTS	1	14.71
				SHOP SUPPLIES: DUCT TAPE (2)	1	16.86
				#10 PARTS	1	21.12
				SHOP SUPPLIES	1	30.51
				SHOP SUPPLIES: DRILL BIT	1	75.43
Total 3	8663					185.58
03/19/2014	38664	20024	FRONTIER	EVERGREEN POINTE L/S: 3/4-4/3/14	1	40.67
				RYAN ST L/S: 3/4-4/3/14	1	40.67
				PARK OFFICE: 3/10-4/9/14	1	41.27

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
				REPL (1) LOW QUAL PHONE TO HIGH QUAL-EMPD	1	53.94
				REPL (4) LOW QUAL PHONE TO HIGH QUAL-VOW	2	215.76
Total 38	3664					392.31
03/19/2014	38665	20205	HYDRITE CHEMICAL CO	WATER TREATMENT PLANT CHEMICALS	1	942.15
				RIPPLING CREEK WELL	1	1,170.00
				ALTA VERDE WELL	1	1,349.95
				BLOEDEL WELL	1	1,878.15
Total 38	3665					5,340.25
03/19/2014	38666	12810	LEGALSHIELD	DUES: FEB 2014	1	93.65
03/19/2014	38667	9200	LONDERVILLE STEEL ENTERPRISES	#29 & #69 PARTS	1	238.24
03/19/2014	38668	9910	MARATHON COUNTY TREASURER	ADJUSTMENTS: FEB 2014	4	40.00
				IGNITION INTERLOCK SURCHARGE: FEB 2014	3	100.00
				DRIVER IMPROVEMEN T SURCHARGES: FEB 2014	2	989.00
				JAIL SURCHARGES: FEB 2014	1	1,289.00
Total 38	3668					2,338.00
03/19/2014	38669	9620	MARQUARDT STAMP & SIGN	VILLAGE ADDRESS STAMP	1	17.95
03/19/2014	38670	20370	MATTHIAE, ROSE	RESTITUTION 19356195: FEB 2014	1	282.00
03/19/2014	38671	10520	MINNESOTA LIFE INSURANCE CO	METRO PREMIUM: APR 2014	2	194.62
				VOW PREMIUM: APRIL 2014	2	326.82
				VOW PREMIUM: APRIL 2014	1	426.88
				METRO PREMIUM: APR 2014	1	474.64
Total 38	3671					1,422.96
03/19/2014	38672	14130	MMG OCCUPATIONAL MEDICINE	EAP 1ST QTR 2014: VOW (32)	1	200.00
03/19/2014	38673	20792	MOORE ELECTRIC LLC	3505 BERNARD AVE	1	146.59
03/19/2014	38674	10800	MOTION INDUSTRIES INC	WALKER MOWER BALL BEARINGS	1	20.47
				#69 PARTS	1	60.09
Total 38	3674					80.56
03/19/2014	38675	11280	NETWORK PROFESSIONALS INC	WIRELESS INTERNET DISCOUNT: MAR 2014	2	35.00
				WIRELESS INTERNET ACCESS 3/24/14	1	74.95
Total 38	3675					39.95
03/19/2014	38676	12380	PER MAR SECURITY SERVICES	SECURITY MONITORING: 4/1/14-3/31/15	1	757.20
03/19/2014	38677	13180	R A MILLER SUPPLY	#51 PARTS	1	33.75
03/19/2014	38678	19838	RHYME BUSINESS PRODUCTS LLC	MONTHLY B&W USEAGE: 2/11-3/11/14	1	66.58
				MONTHLY COLOR USEAGE: 2/11-3/11/14	2	264.81
Total 38	3678					331.39
03/19/2014	38679	13530	RIB MT METRO SEWERAGE DISTRICT	O&M DUE: FEB 2014	1	39,450.08
03/19/2014	38680	13580	RIISER ENERGY	FUEL: FEB 2014	1	202.51
				FUEL: FEB 2014	7	310.22
				FUEL: FEB 2014	3	368.35
				FUEL: FEB 2014	5	514.58
				FUEL: FEB 2014	6	698.10
				FUEL: FEB 2014	4	1,715.31
				FUEL: FEB 2014	9	1,742.52

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Date Check No Vendor No Payee Invoice Description Seq Seq Amount FUEL: FEB 2014 8 5 468 69 FUEL: FEB 2014 2 14,548.55 Total 38680 25,568.83 03/19/2014 38681 13830 ROTHSCHILD WATERWORKS PURCHASED WATER: 11/6/13-3/4/14 (500,00 GAL) 1 1,965.00 03/19/2014 38682 ROTHSCHILD, VILLAGE OF BIG LOTS (IRET) WATER BREAK 13840 105.30 03/19/2014 38683 SCHOFIELD, CITY OF ALLOCATED TOTALS TO COURT: FEB 2014 2,612.43 14430 03/19/2014 38684 14520 SCHROEDER TRUCKING SNOW REMOVAL: 2/6/2014 70.00 SNOW REMOVAL: 2/11/2014 315.00 SNOW REMOVAL: 2/12/2014 2 840.00 1,225.00 Total 38684 03/19/2014 38685 15220 SOUTHSIDE TIRE CO INC #14: LOADER TIRE MOUNT & DISMOUNT 120.00 18220 STATE OF WI - COURT FINES 03/19/2014 38686 ALLOCATED TOTALS TO COURTS: FEB 2014 1 4,521.88 03/19/2014 38687 Information Only Check 03/19/2014 38688 19951 STRASSER & YDE SC 2/20/14 SERV: ROTH WATER ASSESS ISSUE 92.50 1 12/20/13 SERV: RVW DOMBROSKI LETTER 129.50 1/2-1/21/14 SERV: GRONSKI JUDGMENT 155.00 12/18/13-3/3/14 SERV: RVW MISC ITEMS 156.00 1/24-3/1/14 SERV: SEWER EASEMENT VAC 2 200.25 1/24-3/1/14 SERV: WATER EASEMENT VAC 200.25 2/10/14 SERV: UNION/NON-UNION POSITIONS 277.50 1 2/7-2/25/14 SERV: VAC TRUCK DAMAGE 3 296 00 2/6/14 SERV: PIPE THAW WAIVER 2 477 50 1/20-2/21/14 SERV: INTERN/UW-SP CONTRACT 2 507 00 1/20-2/21/14 SERV: INTERN/UW-SP CONTRACT 1 507 00 1/28-2/6/14 SERV: AT&T LEASE ISSUE 533.50 12/18-12/23/13 SERV: NUISANCE POLICY 703.00 12/17/13-2/26/14 SERV: DRAFT NOISE ORD 814.00 2/10-3/3/14 SERV: OPEN MTGS LAW 1,036.00 1/6-3/11/14 SERV: SOLID WASTE ORD - 50% REFUSE 2 1,709.50 1/6-3/11/14 SERV: SOLID WASTE ORD - 50% RECYCL 1 1,709.50 1/28-2/20/14 SERV: SEASONAL/PT EMPLOYEES 1.813.00 Total 38688 11,317.00 15780 SUN PRINTING 03/19/2014 38689 DAILY POOL PASSES (1000) 1 54.75 03/19/2014 38690 7180 SUPERMEDIA LLC ADVERTISING CONTRACT 1 36.25 4260 UNEMPLOYMENT INSURANCE UNEMPLOYMENT: CHRISTIANSEN, PROCKNOW, STANGE, 03/19/2014 38691 946.36 KEARNS, BEHM UNEMPLOYMENT: CHRISTIANSEN, PROCKNOW, STANGE, 5,362.75 KEARNS, BEHM Total 38691 6,309.11 03/19/2014 38692 20514 UNITEDHEALTHCARE INSURANCE CO MOUA CREDIT FOR FEB 2014 379.90 -14 MOUA CREDIT FOR FEB 2014 67 04 -13 SAFER SINGLE (1): MAR 2014 67.04 9 METRO SINGLE (3): MAR 2014 201.12 SAFER SINGLE (1): MAR 2014 10 379.90 VOW SINGLE (6): MAR 2014 5 402.25 SAFER FAMILY (6): MAR 2014 11 1,005.58 METRO SINGLE (3): MAR 2014 2 1,139.70 VOW SINGLE (6): MAR 2014 6 2,279.39 METRO FAMILY (18): MAR 2014 3,016.76

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
				VOW FAMILY (20): MAR 2014	7	3,351.9
				SAFER FAMILY (6): MAR 2014	12	5,698.3
				METRO FAMILY (18): MAR 2014	4	17,095.00
				VOW FAMILY (20): MAR 2014	8	18,994.44
Total 38	8692					53,184.54
03/19/2014	38693	18090	WESTON, TOWN OF	ALLOCATED TOTALS TO COURT: FEB 2014	1	321.00
03/19/2014	38694	18580	WI DEPARTMENT OF JUSTICE	BACKGROUND CHECKS (2): FEB 2014	1	14.00
03/19/2014	38695	18620	WI RURAL WATER ASSOC	REG: DAVID KRAUSE WRWA 26TH ANNUAL TECH CONF	1	150.0
				REG: CHAD DIETSCHE WRWA 26TH ANNUAL TECH CONF	1	150.00
Total 38	8695					300.00
03/19/2014	38696	18990	WISCONSIN PUBLIC SERVICE	5815 ALTA VERDE (POOL): 2/13-3/13/14	1	267.27
03/19/2014	38697	20793	ZONES	USER LICENSE (1)-ADOBER CREATIVE CLOUD SUITE (MELISKA)	1	479.98
03/25/2014	38698	3920	DIETSCHE, CHAD	PER DIEM EXPENSE: 3/26-3/28/14 WRWA CONF	1	60.00
03/25/2014	38699	8320	KRAUSE, DAVE	PER DIEM EXPENSE: 3/26-3/28/14 WRWA CONF	1	60.00
03/28/2014	38700	20024	FRONTIER	COLLEEN L/S: 3/16-4/15/14	1	42.91
				HARLYN AVE L/S: 3/10-4/9/14	1	43.39
Total 38	8700					86.30
03/28/2014	38701	12550	PITNEY BOWES	LEASE: 12/30/13-3/30/14	2	128.14
				LEASE: 12/30/13-3/30/14	3	128.1
				LEASE: 12/30/12-3/30/14	1	256.27
Total 38	8701					512.55
03/28/2014	38702	18990	WISCONSIN PUBLIC SERVICE	BARBICAN AVE IRRIG: 2/11-3/112/14	1	12.28
				VALDRES/BARBICAN IRRIG: 2/11-3/12/14	1	12.28
				RECYCLE SHED: 2/7-3/10/14	1	13.25
				SHOREY SIREN: 1/24-2/25/14	1	13.67
				EVEREST SIREN: 2/10-3/11/14	1	20.35
				BIRCH/SCHOF T/L: 2/10-3/11/14	1	31.98
				BIRCH/WESTON T/L: 2/10-3/11/14	1	39.58
				CAMP PHILLIPS/SCHOFIELD T/L: 1/10-2/10/14	1	43.97
				EVEREST/CAMP PHILLIPS T/L: 2/10-3/11/14	1	114.25
				BIRCH/WESTON ST LIGHTS: 2/10-3/11/14	1	260.88
				BARBICAN AVE STREET LIGHTS: 2/11-3/12/14 VOW STREET LIGHTING: 31 DAYS (FEB 2014)	1 1	346.91 14,419.25
Total 38	8702					15,328.65
04/03/2014	38704			REPLACE GARAGE DOOR AFTER ACCIDENT	1	4,289.00
04/03/2014	38705	640	AMERICAN PLANNING ASSOCIATION	JOURNAL OF THE APA SUBSCRIPTION 7/1/14-6/30/15	2	48.00
				J HIGGINS: APA/ MEMBERSHIP 7/1/14-6/30/15	1	255.00
Total 38	8705					303.00
04/03/2014	38706	20791	ANDERSON, DAWN	REIMB: BOTTLED WATER WHILE CONNECTED TO PRIVATE WELL DUE TO WTR MAIN FROZEN	1	17.64
				REIMB: BOTTLED WATER WHILE CONNECTED TO PRIVATE WELL DUE TO WTR MAIN FROZEN	1	20.89

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 3	8706					38.53
04/03/2014	38707	1520	BEAVER OF WISCONSIN INC	PRESSURE WASHER: SWIVELS	1	105.00
				HOSE REEL - BEAVER	1	430.00
Total 3	8707					535.00
04/03/2014	38708	1580	BEHNKE, DOUG	CELL REIMB: 10/13 - 2/14	1	100.00
04/03/2014	38709	2500	CARQUEST AUTO PARTS	OIL FILTER: ICE SURFACING MACHINE	2	2.58
				FILTERS	1	61.24
Total 3	8709					63.82
04/03/2014	38710	2590	CDW GOVERNMENT	PLOTTER INK CARTRIDGES	1	42.84
				PLOTTER INK CARTRIDGES	1	124.35
				MONITORS: FRONT RECEPTION DESK	1	223.90
Total 3	8710					391.09
04/03/2014	38711	3150	COLUMBIA PIPE & SUPPLY CO	GASKETS- HARLYN LIFT STATION	1	28.93
04/03/2014	38712		CONTROL CONCEPTS TECH	#38: MISC PARTS: O-RINGS	1	4.56
				#14: HOSE	1	57.02
				#29: HYD HOSE COUPLER	1	85.52
Total 3	8712					147.10
04/03/2014	38713	2660	CWE INC	LANDFILL GES O&M: 2/23-3/22/2014	1	1,160.97
				2013 GROUND WTR MONITORING REDUCTION: 2/23-3/8/2014	1	1,176.70
Total 3	8713					2,337.67
04/03/2014	38714	4620	E O JOHNSON COMPANY	RICOH INK CARTRIDGE (1)	1	220.30
0 1100/2011	00711	1020	L O CONTROCT CONTINUE	HP DESIGNJET T2500 COLOR PRINTER	1	9,000.00
Total 3	8714					9,220.30
04/03/2014	38715		ENVIROTECH EQUIPMENT	BEAVER: NOZZLE TO STEAM FROZEN SEWER MAIN	1	290.15
04/03/2014	38716	4910	FASTENAL COMPANY	NUTS/BOLTS GREASE FPR WING CABLES	1 1	7.68 213.00
Total 3	8716			0.12.02.1.18.11.10.07.12.20	·	220.68
rotaro	57 10					
04/03/2014	38717	20024	FRONTIER	AQUATIC CTR: 3/16-4/15/2014	1	3.16
04/03/2014	38718	20794	G&B PRODUCE CO	REIMB: THAW FROZEN WTR LATERAL	1	750.00
04/03/2014	38719		GANNETT WISCONSIN MEDIA	AMEND CODE PUBLIC SAFETY COMM	1	40.37
04/03/2014	38720		GRAINGER	SOAP DISPENSER FOR SAFETY BUILDING	1	56.88
04/03/2014	38721		HADLEY OFFICE PRODUCTS	MISC OFFICE SUPPLIES: MUNICIPAL COURT	1	26.45
04/03/2014	38722		HIGGINS, JENNIFER	CELL PHONE: MAR 2014	1	50.00
04/03/2014 04/03/2014	38723 38724		JACOBS, JOHN JERRY'S CLEANING	WGFOA SPRING CONF: 4/10-4/11/14 CLEANING SERVICES: MAR 2014	1 1	75.00 600.00
04/03/2014	38725		KIMBALL MIDWEST	HEX TOOL SET (ALLEN WRENCH)	1	94.65
J.J I T	30, 20	_0000		HEX KEY FOR LATHE PAINT	1	114.38

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 3	8725					209.03
04/03/2014	38726	8320	KRAUSE, DAVE	CELL PHONE REIMB: 2/20/2014	1	20.00
04/03/2014	38727	9080	LINCOLN CONTRACTORS SUPPLY INC		1	18.89
04/03/2014	38728	9900	MARATHON CTY REGISTER OF DEEDS	COPY FEES: WESTON BUS & TECH PARK & 1ST ADD TO BUS & TECH PARK	2	6.00
				COPY FEES: MISSING PLAT & COVENANTS BUS PARK	1	10.00
Total 3	8728					16.00
04/03/2014	38729	20623	MDROFFERS CONSULTING LLC	BROADBANK EXPANSION GRANT PREP-BP SOUTH	1	142.50
				CORP PLAN UPDATE WITHIN COMP PLAN	1	650.08
				COMP PLAN: CAMP PHILLIPS RD CORRIDOR PROJECT	2	825.00
				CORP PLAN UPDATE WITHIN COMP PLAN	1	2,398.30
				COMP PLAN: CAMP PHILLIPS RD CORRIDOR PROJECT	1	2,399.55
				BROADBAND EXPANSION GRANT PREP-BP SOUTH	1	2,745.00
				COMP PLAN/ZONING CODE UPDATE PROJ: MAR 2014 COMP PLAN/ZONING CODE UPDATE PROJ: FEB 2014	1 1	2,928.75 3,799.26
Total 3	8729					15,888.44
04/03/2014	38730	10280	MIDLAND PLASTICS INC	SHOP SUPPLIES: SAND PLASTER	1	11.00
				SUPPLIES: COMP PLAN MTG-PLASTIC FOR DRAWING ON MAP	1	35.00
Total 3	8730					46.00
04/03/2014	38731	10380	MIDWEST SIGN & SCREEN PRINTING	SOFTWARE: SIGN SHOP	1	1,145.00
04/03/2014	38732		NAPA AUTO PARTS - WESTON	#1 OIL & OIL FILTER	1	39.63
04/03/2014	38733	20598	OFFICE ENTERPRISES INC	COURT OFFICE: PRINTER/COPIER/SCANNER	1	5.84
04/03/2014	38734	12460	PGA INC	S. TIMBER ST: THAW WATER SERVICE	1	1,505.00
				CAMP PHILLIPS RD: THAW FROZEN MAIN	1	2,829.85
Total 3	8734					4,334.85
04/03/2014	38735	12750	POSTMASTER	PERMIT 18: BALANCE DUE	1	6.66
				PERMIT 18: BALANCE DUE	3	6.67
				PERMIT 18: BALANCE DUE	2	6.67
				RENEW PERMIT 20: APRIL 2014	1	220.00
				PERMIT 18 POSTAGE: UTILITY BILLS	1	800.00
				PERMIT 18 POSTAGE: UTILITY BILLS PERMIT 18 POSTAGE: UTILITY BILLS	2 3	800.00 800.00
Total 3	8735					2,640.00
04/03/2014	38736	19569	PRISTINE WATER SOLUTIONS	AQUADENE	1	8,019.00
04/03/2014	38737		R A MILLER SUPPLY	DRILL BIT	1	38.42
04/03/2014	38738		RENT-A-FLASH OF WI INC	SIGN PARTS: POST-ROAD WEIGHTS	1	67.50
				SIGN PARTS: POST-ROAD WEIGHTS	1	337.50
Total 3	8738					405.00
04/03/2014	38739	20795	RIVER VIEW CONSTRUCTION	BENARD AVE REPAIR	1	1,512.50
				BENARD AVE REPAIR	1	1,587.50
				CHERRY STREET REPAIR	1	1,725.00

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 3	3739					4,825.00
04/03/2014	38740	14430	SCHOFIELD, CITY OF	REFUND OVRPYMT 2013 MUNIC CT EXPS	1	251.23
04/03/2014	38741		SOUTHSIDE TIRE CO INC	TIRE REPAIR-RENTED VAC TRUCK	1	262.00
04/03/2014	38742	19951	STRASSER & YDE SC	ASSESSOR CONTRACT:FILE NO 14-049M	2	333.00
				ASSESSOR CONTRACT:FILE NO 14-049M	1	771.50
Total 3	3742					1,104.50
04/03/2014	38743	15930	TARGET BANK	OFFICE SUPPLIES	2	13.65
				OFFICE SUPPLIES	1	47.81
Total 3	3743					61.46
04/03/2014	38744	15970	TATRO, SHAUN	REIMB: IAEI MEMBERSHIP DUES	1	102.00
04/03/2014	38745	16220	TITO INC	6215 VOLKMAN ST	1	509.50
				CHERRY ST REPAIR	1	1,389.50
				BERNARD AVE REPAIR	1	2,085.00
Total 3	3745					3,984.00
04/03/2014	38746		TRUCK COUNTRY OF WISCONSIN	#31: REPLACE SINGNAL LIGHT BOXES	1	133.11
04/03/2014	38747	16710	USA BLUE BOOK	WATER TESTING SUPPLIES	1	229.63
04/03/2014	38748		VALLEY CHEMICAL LLC	AQ CENTER: FLOAT BALL W/COTTER PIN	1	161.12
04/03/2014	38749	16890	VAN ERT ELECTRIC COMPANY INC	REPAIR TRAFFIC LIGHT @ TARGET & SCHOFIELD	1	383.88
				REPAIR TRAFFIC LIGHT @ BIRCH & SCHOFIELD	1	2,106.11
				REPAIR STREET LIGHT @ NORMANDY & SCHOFIELD AVE	1	4,921.00
Total 3	3749					7,410.99
04/03/2014	38750	17320	WALT'S PETROLEUM SERVICE INC	FUEL PUMP REPAIR	1	703.75
04/03/2014	38751	17500	WAUSAU AWARDS & ENGRAVING INC	NAME PLATE: STENSTROM-PLAN COMM	1	16.50
04/03/2014	38752	18100	WESTON UTILITIES	JELINEK/MESKER L/S: 12/18/13-3/18/14	1	43.79
				STERNBERG WELL & WTP: 12/18/13-3/18/14	1	50.13
				STERNBERG WELL & WTP: 12/18/13-3/18/14	2	100.26
				TEAGAN: 12/18-3/18/14	1	104.79
				4704 BARBICAN SPRINKLER: 12/17-3/18	1	147.00
				4100 BARBICAN SPRINKLER: 12/17-3/18	1	147.00
				ROGAN: 12/18-3/18/14	1	190.99
				RIPPLING CREEK WELL: 12/18/13-3/31/14	1	352.40
				QUENTIN: 12/18-3/18/14	1	552.19
				MUN CTR: 12/17-3/18/14	1	854.84
Total 3	3752					2,543.39
04/03/2014	38753	19070	WI STATE LABORATORY OF HYGIENE	FLUORIDE TEST	1	20.00
04/03/2014 04/03/2014	38754 38755		Information Only Check Information Only Check			
		from Rank 1	has both Voided and Unvoided sequences	for this Vendor		
04/03/2014	38755		WISCONSIN PUBLIC SERVICE	WINDSOR DR AERATOR: 2/24-3/24/14	1	11.86
			has both Voided and Unvoided sequences			11.00
			·	MINISTRY: 2/24-3/24/14	1	11.86
** Check Nu	mber 38755	from Bank 1	has both Voided and Unvoided sequences	for this Vendor.  RYAN WFS: 2/24-3/24/14	1	11.86
** Check Nu	mber 38755	from Bank 1	has both Voided and Unvoided sequences		•	50
				SHOREY SIREN: 2/25-3/25/14	1	12.00

Date	Check No V	endor No	Payee	Invoice Description	Seq	Seq Amount
** Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque	ences for this Vendor.		
				FLASH SIGN T/L: 2/26-3/26/14	1	12.22
* Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque	ences for this Vendor.		
				STONE RIDGE IRRIGATION: 2/19-3/20/14	1	12.28
* Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque	ences for this Vendor.		
				MUSKIE WARNING SIREN: 2/24-3/24/14	1	13.64
* Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque	ences for this Vendor.		
				MEURET LN S/L: 2/19-3/19/14	1	17.44
* Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				RICKYVAL WFS: 2/24-3/24/14	1	28.00
* Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				WESTON/PROG WFS: 2/24-3/24/14	1	28.23
' Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				ALDERSON/SCHOFIELD: 2/24-3/24/14	1	41.77
' Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				ZINSER WFS: 2/24-3/24/14	1	42.60
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			_
				HOWLAND S/L: 2/14-3/17/14	1	63.12
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				SCHOFIELD T/L: 2/24-3/24/14	1	78.33
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				ROSS AVE T/L: 2/25-3/25/14	1	82.13
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				LANDFILL: 2/27-3/27/14	1	146.88
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				BLOEDEL WELL: 2/17-3/17/14	2	152.39
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				RIPPLING CREEK WELL: 2/13-3/14/14	2	179.13
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				NORMANDY/SCHOFIELD S/L:2/19-3/2014	1	185.83
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				BUS PARK S/L: MAR 2014 (31 DAYS)	1	493.00
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				RIPPLING CREEK WELL: 2/13-3/14/14	1	1,464.60
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				MUN CTR: 2/26-3/26/14	1	1,646.93
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				BLOEDEL WELL: 2/18-3/18/14	1	1,871.10
Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				MUN CTR: 2/25-3/25/14	2	2,675.41
' Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque			
				VOW STREET LIGHTING: 31 DAYS (FEB 2014)	1	10,984.01
' Check Nu	ımber 38755 fro	om Bank 1	has both Voided and Unvoided seque	ences for this Vendor.		
Total 3	8755					20,266.62
	06			######################################		
4/03/2014	38756	250	ACE HARDWARE CENTER	#4 VAC TRUCK SUPPLIES: MARKING PAINT, SUPER GLUE, SHOVEL	1	4.74
					_	
				SUPPLIES FOR WTR DEPT	2	9.48
Total 3	8/56					14.22
					_	
4/10/2014	38757	250	ACE HARDWARE CENTER	MISC SUPPLIES FOR FOREMOST	8	1.49
				GAS - ANTIFREEZE	2	2.99
				JANITORIAL SUPPLIES: PLUNGER	9	3.99
				MUN CTR DOOR KICKDOWN	4	12.98
				MAILBOX FOR BOND PAYMENTS	6	13.99

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## 1 POLLED COVER & PAINTBRUSH 7 1 1508 289 88 180 LCHAMGE 3 289 88 180 LCHAMGE 3 289 88 180 LCHAMGE 3 3 389 180 LCHAMGE 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
SUPPLIES FOR MEIGHT LIMTS   10   0.06   0.					#31 ROLLER COVER & PAINTBRUSH	7	15.93
SIGN SHOP OPERATING SUPPLIES MAR 2014   2   34   45   5   45   15   45   15   45   4					#88: OIL CHANGE	3	28.98
PAINTING SUPPLIES FOR REMPT   \$ 5   \$ 4.12					SUPPLIES FOR WEIGHT LIMITS	10	36.95
MIN CTR FLOOR CLEANER & WOMEN'S ROOM TRASH   3   1007   1147.73							38.41
CAN							
Total 38757						3	50.97
10d1 38757					MUN CTR: OFFICE SHELVING	1	134.73
MINIO2014   38758   4290   ACCOM TECHNICAL SERVICES INC   UNI DIRECTIONAL FLUSHING PLAN DEV: 277-2728/14   1 1,161.00					SUPPLIES TO THAW CURB STOPS, GLOVES, HOSES, ETC	1	323.85
04/10/2014 8759 4399 ARFIRE MOBILE SERVICE DATES: 32/1-4/20/14 2 63.3 SERVICE DATES: 32/1-4/20/14 2 63.5 SERVICE DATES:	Total 3	8757					710.38
SERVICE DATES: 321-4/2014   2   6.33   6.3	04/10/2014	38758	4290	AECOM TECHNICAL SERVICES INC	UNI DIRECTIONAL FLUSHING PLAN DEV: 2/7-2/28/14	1	1,161.00
Total 3875    Total 3876    3876	04/10/2014	38759	4390	AIRFIRE MOBILE	SERVICE DATES: 3/21-4/20/14	3	.75
Total 38759					SERVICE DATES: 3/21-4/20/14	2	6.33
04/10/2014   38760   1030   AT&T MOBILITY   WIRELESS: 3/27-4/26/14   2 39.99   94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   3 94.63   1030   10					SERVICE DATES: 3/21-4/20/14	1	6.33
MIRELESS: 3/27-4/26/14   1   64.83   94.63	Total 3	8759					13.41
MIRELESS: 3/27-4/26/14   1   64.83   94.63	04/10/2014	38760	1030	AT&T MOBILITY	WIRELESS: 3/27-4/26/14	2	39.99
199.25					WIRELESS: 3/27-4/26/14	1	64.63
04/10/2014 38761 1520 BEAVER OF WISCONSIN INC HOSE & NOZZLE FOR BEAVER 1 1,505.00  Total 38762 1 2200 BRUCE MUNICIPAL EQUIPMENT INC #81: LOWER ROLLER & BEARING 1 706.18 #4 VACTOR: REPAIR PTO 1 1 1,421.95 CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC 1 1,731.23  Total 38762 2 330 BUSINESS SERVICE CENTER INC CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC 1 1,731.23  Total 38763 2 2330 BUSINESS SERVICE CENTER INC PAGER RENTAL: 4/7-54/14 1 5.75 PAGER RENTAL: 4/7-54/14 1 10.00  Total 38763 2 38763 2 398 BUSINESS SERVICE CENTER INC PAGER RENTAL: 4/7-54/14 1 10.00  Total 38764 8 38764 2500 CARQUEST AUTO PARTS SHOP SUPPLIES: SILICONE 2 19.31 #81: HI-POP DIL FILITERS (2), OIL FILITERS (2) 1 20.12 #81: HI-POP DIL FILITERS (2) 1 40.93 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HILD ALMPS (6) 1 46.14 #38: FILLE FILTERS (2), OIL FILITERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT 400.00 1 11.19 423.46  Total 38764 5 2590 CDW GOVERNMENT FUSER UNIT FOR RICCH COLOR PRINTER 1 423.65					WIRELESS: 3/27-4/26/14	3	94.63
HOSE & NOZZLE FOR BEAVER   1   1,505.00	Total 3	8760					199.25
HOSE & NOZZLE FOR BEAVER   1   1,505.00	04/10/2014	39761	1520	BEAVED OF WISCONSIN INC	DEAVED DDESSIDE WASHED TDANSCODMED	1	208 15
04/10/2014   38762   2200   BRUCE MUNICIPAL EQUIPMENT INC   PIN ON CONVEYOR BELT   1   10.59   706.18   44 VACTOR: REPAIR PTO   1   1,421.95   1   1,231.23   1,231.23   1   1,231.23   1,231.23   1	04/10/2014	36701	1520	BEAVER OF WISCONSIN INC		-	
#81: LOWER ROLLER & BEARING #4 VACTOR: REPAIR PTO 1 1,421.95 CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC 1 1,731.23 3,869.95    1	Total 3	8761					1,713.15
## VACTOR: REPAIR PTO 1 1,421.95 CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC 1 1,731.23 3,869.95 3,8	04/10/2014	38762	2200	BRUCE MUNICIPAL EQUIPMENT INC	PIN ON CONVEYOR BELT	1	10.59
## VACTOR: REPAIR PTO 1 1,421.95 CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC 1 1,731.23 3,869.95 3,8					#81: LOWER ROLLER & BEARING	1	
Total 38762   2330   BUSINESS SERVICE CENTER INC   PAGER RENTAL: 4/7-5/4/14   1   5.75   PAGER RENTAL: 4/7-5/4/14   2   5.75   PAGER SERVICE: 4/7-5/4/14   2   5.75   PAGER SERVICE: 4/7-5/4/14   1   18.00					#4 VACTOR: REPAIR PTO	1	1,421.95
04/10/2014 38763 2330 BUSINESS SERVICE CENTER INC PAGER RENTAL: 4/7-5/4/14 1 5.75 PAGER RENTAL: 4/7-5/4/14 2 5.76 PAGER SERVICE: 4/7-5/4/14 1 18.00  Total 38763 250 CARQUEST AUTO PARTS SHOP SUPPLIES: SILICONE 2 19.31 #81: HI-POP OIL FILTERS-HD (2), HYD FILTERS-HD (2) 1 20.12 #81: FUEL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: MISC FILTERS (3) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT 453.55					CONVEYOR BELT, SINGLE WRAP MAIN BROOM 60, ETC	1	1,731.23
PAGER RENTAL: 4/7-5/4/14 2 5.75 PAGER SERVICE: 4/7-5/4/14 1 18.00  Total 38763  04/10/2014 38764 2500 CARQUEST AUTO PARTS  SHOP SUPPLIES: SILICONE 2 19.31 #81: HI-POP OIL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46	Total 3	8762					3,869.95
Total 38763   Total 38764   2500   CARQUEST AUTO PARTS   SHOP SUPPLIES: SILICONE   2   19.31	04/10/2014	38763	2330	BUSINESS SERVICE CENTER INC	PAGER RENTAL: 4/7-5/4/14	1	5.75
Total 38763   Total 38764   2500   CARQUEST AUTO PARTS   SHOP SUPPLIES: SILICONE   2   19.31					PAGER RENTAL: 4/7-5/4/14	2	
04/10/2014 38764 2500 CARQUEST AUTO PARTS SHOP SUPPLIES: SILICONE 2 19.31 #81: HI-POP OIL FILTERS-HD (2), HYD FILTERS-HD (2) 1 20.12 #81: FUEL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46						1	18.00
#81: HI-POP OIL FILTERS-HD (2), HYD FILTERS-HD (2) 1 20.12 #81: FUEL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46	Total 3	8763					29.50
#81: HI-POP OIL FILTERS-HD (2), HYD FILTERS-HD (2) 1 20.12 #81: FUEL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46	04/10/2014	38764	2500	CARQUEST AUTO PARTS	SHOP SUPPLIES: SILICONE	2	19.31
#81: FUEL FILTERS (2), OIL FILTERS (2) 1 34.88 SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46		33101	_000				
SHOP SUPPLIES: MISC FILTERS (3) 1 40.93 SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46							
SHOP SUPPLIES: HEAD LAMPS (6) 1 46.14 #38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46							
#38: FUEL FILTERS (4), HYD FILTERS (3) 1 86.96 #31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46						1	
#31: BRUSH ON BEDLINER KT 1 93.27 SHOP SUPPLIES: BLUE CORA -20 DEG, CLAY ABSORBENT  Total 38764  453.55  04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46					. ,	1	86.96
ABSORBENT  Total 38764						1	93.27
04/10/2014 38765 2590 CDW GOVERNMENT FUSER UNIT FOR RICOH COLOR PRINTER 1 423.46						1	111.94
	Total 3	8764					453.55
	04/10/2014	<b>3976</b> F	2500	CDW GOVERNMENT	FUSER LINIT FOR RICOH COLOR DRINTED	1	123 16
	04/10/2014	38766	3220		SHOP SUPPLIES	1	53.25

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
04/10/2014	38767	4760	EVEREST METRO POLICE DEPT	2014 DEBT SERVICE PMT - P/S BLDG 2014 OPERATING BUDGET- 2ND QTR	2	64,048.00 526,099.69
				zorror ziwiliko bobozi zinb wik	•	
Total 38	3767					590,147.69
04/10/2014	38768	4910	FASTENAL COMPANY	#81: NUTS & BOLTS	1	4.01
				SHOP SUPPLIES	1	163.59
Total 38	3768					167.60
04/10/2014	38769	5390	FRED MUELLER AUTOMOTIVE INC	#85: CLIP	1	3.64
04/10/2014	38770	20024	FRONTIER	BUS PK SOUTH L/S: 3/25-4/24/14	1	40.67
				EAU CLAIRE RIVER L/S: 3/28-4/27/14	1	40.67
				PARK TERRACE L/S: 3/28-4/27/14	1	40.67
				HERITAGE HILLS L/S: 3/22-4/21/14	1	42.60
				TANYA L/S: 3/22-4/21/14	1	42.91
				LANDFILL: 3/22-4/21/14	1	42.91
				KATHLEEN L/S: 3/22-4/21/14	1	43.15
				ROSS AVE L/S: 3/22-4/21/14	1	43.45
				GENERAL TELEPHONE CHARGES: 3/22-4/21/14	1	682.47
Total 38	3770					1,019.50
04/10/2014	38771	5720	G & K SERVICES WI RAPIDS	UNIFORM MAINT SEWER: MAR 2014	6	11.52
				UNIFORM MAINT WATER: MAR 2014	5	42.24
				UNIFORM MAINT STREETS: MAR 2014	4	169.68
				PAPER PROD/AIR FRESHNER: MAR 2014	2	182.50
				CLEAN RUGS/MATS: MAR 2014	1	208.52
				HAND SOAP/RAGS/TOWELS/ETC: MAR 2014	3	467.72
Total 38	3771					1,082.18
04/10/2014	38772	6150	GROSHEK, CRAIG	CELL PHONE REIMB: 3/31/14	1	20.00
04/10/2014	38773		H D SUPPLY WATERWORKS LTD	6" WATERMAIN PLUG	1	83.69
				WATERMAIN REPAIR CLAMPS	1	396.51
Total 38	3773					480.20
04/10/2014	38774	20796	HUNTER, SHAREN	REFUND SEC DEP: KENNEDY PARK HALL 4/5/14	1	50.00
04/10/2014	38775	20205	HYDRITE CHEMICAL CO	WATER TREATMENT PLANT CHEMICALS	1	938.20
				RIPPLING CREEK WELL	1	1,170.00
				ALTA VERDE WELL	1	1,279.20
				BLOEDEL WELL	1	1,279.20
Total 38	3775					4,666.60
04/10/2014	38776	7140	HYDRO DESIGNS INC	CROSS CONNECTION CONTROL	1	1,612.00
04/10/2014	38777	8800	LAYNE CHRISTENSEN CO	FOREMOST WELL - SPOOL REPLACEMENT	1	1,972.00
04/10/2014	38778	9910	MARATHON COUNTY TREASURER	DRIVER IMPROVEMEN T SURCHARGES: MAR 2014	2	536.50
				JAIL SURCHARGES: MAR 2014	1	1,052.90
Total 38	3778					1,589.40
04/10/2014	38779	9920	MARATHON COUNTY TREASURER	GIS PARCEL DATA	1	167.34
				GIS PARCEL DATA	1	167.34

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 38	3779					334.68
04/10/2014	38780	9900	MARATHON CTY REGISTER OF DEEDS	MCROD DOC FEES STONE RIDGE BUSINESS CTR	1	3.00
04/10/2014	38781			#10: ENGINE MISS-RPR FOR LOW POWER PARTS & LABOR	1	522.24
04/10/2014	38782	10800	MOTION INDUSTRIES INC	#37 OIL SEALS	1	37.82
04/10/2014	38783	11130	NATIONAL OUTDOOR FURNITURE INC	AQ CTR: LOUNGE CHAIRS (6)	1	734.40
04/10/2014	38784	20598	OFFICE ENTERPRISES INC	ACCT 0004903: 3/9-4/8/14	1	8.60
04/10/2014	38785	20797	POLAK, NICK	MAILBOX REIMBURSEMENT: 5102 CHEROKEE ST	1	25.00
04/10/2014	38786	12770	POWERPLAN	#38: LATCH	1	37.95
				#14: DRAIN VALVE	1	69.83
				#38: DRAIN PLUG, O-RING, SIDE LIGHT	1	140.82
				#14: BOOT, LEVER	1	148.26
				#14: SWITCH, PROXY	1	367.68
				LOADERS: BUCKET TEETH	1	788.08
Total 38	3786					1,552.62
04/10/2014	38787	13420	RENT-A-FLASH OF WI INC	SIGN SHOP STOCK	1	584.00
04/10/2014	38788		RIVER VIEW CONSTRUCTION	6215 VOLKMAN ST: THAW WATER SERVICE	1	650.00
	00.00	20.00		TRUCK/BACKHOE FOR FIRE @ GREEN ACRES MHP	1	980.00
				S TIMBER ST: THAW WATER SERVICE	1	1,412.50
Total 38	3788					3,042.50
04/10/2014	38789	20783	SAFER DISTRICT	2014 OPRATING BUDGET - 2ND QTR	1	116,239.50
04/10/2014	38790		SCHOFIELD, CITY OF	PARKING MONIES: MAR 2014	2	55.00
				ALLOCATED TOTALS TO COURT: MAR 2014	1	3,125.80
Total 38	3790					3,180.80
04/10/2014	38791	15220	SOUTHSIDE TIRE CO INC	#85: LIGHT TRUCK TIRE REPAIR	1	28.60
				#94 (CAMERA TRUCK): TIRE REPAIR	1	44.39
				OLD #111: TRUCK TIRE REPAIR	1	94.00
Total 38	3791					166.99
04/10/2014	38792	18220	STATE OF WI - COURT FINES	ALLOCATED TOTALS TO COURTS: MAR 2014	1	3,762.48
04/10/2014	38793		UNITEDHEALTHCARE INSURANCE CO		9	67.04
				METRO SINGLE (3): APR 2014	1	201.12
				SAFER SINGLE (1): APR 2014	10	379.90
				VOW SINGLE (6): APR 2014	5	402.25
				SAFER FAMILY (6): APR 2014	11	1,005.58
				METRO SINGLE (3): APR 2014	2	1,139.70
				VOW SINGLE (6): APR 2014	6	2,279.39
				METRO FAMILY (18): APR 2014	3	3,016.76
				VOW FAMILY (20): APR 2014	7	3,351.96
				SAFER FAMILY (6): APR 2014	12	5,698.34
				METRO FAMILY (18): APR 2014	4	17,095.00
				VOW FAMILY (20): APR 2014	8	18,994.44
Total 38	3793					53,631.48
04/10/2014	38794	17130	VIKING ELECTRIC SUPPLY	DISC ON INVOICE 8141467	4	4.68
				PARTS FOR NEW GARAGE DOOR	1	48.49
				LAMPS FOR LIGHTS	2	84.45

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Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
				LAMPS FOR LIGHTS	3	149.40
Total 3	8794					277.66
4/10/2014	38795	18090	WESTON, TOWN OF	ALLOCATED TOTALS TO COURT: MAR 2014	1	212.80
4/10/2014	38796	20798	WINTER, JESSICA	REIMB: OPERATOR LICENSE	1	47.00
4/10/2014	38797		Information Only Check			
/10/2014	38798		Information Only Check			
/10/2014	38799		Information Only Check			
/10/2014	38800	18990	WISCONSIN PUBLIC SERVICE	4300 STERNBERG (ICE RINK): 2/26-3/26/14	2	9.44
				SCHOFIELD/CHERRY IRRIG: 2/26-3/26/14	1	11.86
				ENT WAY FNTN: 2/28-3/28/14	1	11.86
				NORTHWESTERN PARK: 2/25-3/25/14	1	11.86
				QUENTIN ST SHELTER: 2/25-3/25/14	1	11.86
				KENNEDY SHELTER: 2/25-3/25/14	1	11.86
				PARKWAY SHELTER: 2/25-3/25/14	1	11.86
				ST CLARE'S PUMP: 2/25-3/25/14	1	11.86
				NORTHWESTERN PARK: 2/25-3/25/14	1	11.86
				ROGAN SHELTER: 2/25-3/25/14	1	11.86
				ROBINWOOD: 2/25-3/25/14	1	11.86
				4300 STERNBERG (ICE RINK): 2/26-3/26/14	1	11.86
				E C RIVER L/S: 2/26-3/26/14	2	11.96
				WIFI @ KEN PARK: 1/24-2/25/14	1	12.80
				FOX ST L/S: 2/26-3/26/14	2	13.17
				JELINEK SPEED SIGN: 2/26-3/26/14	1	13.75
				CTY RD J VOW SIGN: 2/28-3/28/14	1	17.08
				JELINEK/MESKER L/S: 2/26-3/26/14	2	21.84
				SUMMIT W/T: 2/26-3/26/14	1	23.37
				COMM CTR IRRIG: 2/26-3/26/14	1	23.72
				SHOREY AVE S/L: 2/25-3/25/14	1	28.23
				BUS PARK SOUTH L/S: 2/26-3/26/14	1	32.33
				EVERGREEN POINTE L/S: 2/26-3/26/14	1	35.47
				PARK TERRACE L/S: 2/26-3/26/14	1	38.56
				KATHLEEN L/S: 2/26-3/26/14	1	39.63
				BIRCH PED BRIDGE: 2/26-3/26/14	1	55.54
				HERITAGE HILLS L/S: 2/26-3/26/14	1	55.66
				5703 ALTA VERDE: 2/25-3/25/14	1	58.63
				2100 NEUPERT (ICE RINK): 2/26-3/26/14	1	90.08
				2100 NEUPERT (ICE RINK): 2/26-3/26/14	2	109.49
				ZINSER ST SIGN: 2/28-3/28/14	1	116.08
				BUS PARK W/T: 2/26-3/26/14	1	124.98
				E EVEREST AVE: 2/26-3/26/14	1	136.15
				COMM CTR S/L: 2/26-3/26/14	1	137.92
				5703 ALTA VERDE: 2/25-3/25/14	2	146.52
				ENT WAY TRAF CONTR: 2/28-3/28/14	1	179.35
				ROSS AVE L/S: 2/26-3/26/14	1	198.52
				WESTON/COUNTY RD X T/L: 2/25-3/25/14	1	209.18
				WTP/STERNBERG: 2/27-3/26/14	3	234.09
				ALDER/SCHOF MONUMENT: 2/26-3/26/14	1	239.10
				RYAN ST L/S: 2/26-3/26/14	1	253.12
				5700 ALTA VERDE: 2/26-3/26/14	2	267.56
				CROSS POINTE S/L: 2/25-3/25/14	1	273.19
				TANYA ST L/S: 2/26-3/26/14	1	274.79
				BIRCH/SCHOF MONUMENT: 2/26-3/26/14	1	282.63
				HARLYN L/S: 2/26-3/26/14	1	282.68
				COLLEEN AVE L/S: 2/26-3/26/14	1	366.49
				MESKER WELL: 2/26-3/26/14	2	398.54

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Date Check No Vendor No Payee Invoice Description Seq Seq Amount E C RIVER L/S: 2/26-3/26/14 414 45 1 MINISTRY PKWY S/I · 2/25-3/25/14 435.89 WTP/STERNBERG: 2/27-3/26/14 4 468.18 FOX ST L/S: 2/26-3/26/14 748 77 WTP/STERNBERG: 2/27-3/26/14 975.50 MESKER WELL: 2/26-3/26/14 1,057.52 5700 ALTA VERDE: 2/26-3/26/14 1.202.80 JELINEK/MESKER L/S: 2/26-3/26/14 1,598.80 FOREMOST WELL: 2/26-3/26/14 1,763.90 WTP/STERNBERG: 2/27-3/26/14 2 1,951.00 Total 38800 15,558.91 04/10/2014 38801 TV DISPOSAL 19140 YAFGER AUTO SALVAGE INC. 68 78 1 38802 19250 ZARNOTH BRUSH WORKS INC 04/10/2014 LOADER BROOMS (2) 1 1,629.70 38803 20528 ADVANCED DISPOSAL SERVICES 8-YD CARDBOARD CONTAINER: MAR 2014 04/16/2014 2 21.25 (16) CARTS BILLING ADJUSTMENT: JAN 2014 6 32.00 (16) CARTS BILLING ADJUSTMENT: FEB 2014 7 32.00 10-YD DUMPSTER: MAR 2014 105.00 (16) CARTS BILLING ADJUSTMENT: JAN 2014 4 112.00 (16) CARTS BILLING ADJUSTMENT: FEB 2014 5 112.00 45-GAL CARTS (677): MAR 2014 2 4,062.00 RECYCLING PICK-UP (4719): MAR 2014 3 9,438.00 90-GAL CARTS (4042): MAR 2014 28,294.00 Total 38803 42,208.25 04/16/2014 38804 310 AFLAC PAYROLLS: 3/7 & 3/21/14 574 88 1 04/16/2014 38805 370 AIRGAS USA LLC 2029372: TANK RENTALS 55.90 2029372: CYLINDER LEASE RENEWAL 5/1/14-4/30/19 288.75 Total 38805 344.65 04/16/2014 38806 20791 ANDERSON, DAWN REIMB: BOTTLED WATER WHILE WATER MAIN IS FROZEN 10.98 1 04/16/2014 38807 20264 **BROCK WHITE COMPANY** ASPHALT SAWS (3) 390.00 04/16/2014 38808 2200 BRUCE MUNICIPAL EQUIPMENT INC #81: RPR COSTS FOR TOP ROLLER, BEARINGS, & WORN 1,747.55 1 **ITFMS** CLUTCH FOR LEAF VACS & INTAKE HOSE 3.318.13 1 Total 38808 5,065.68 04/16/2014 38809 2330 BUSINESS SERVICE CENTER INC ANSWERING SERVICE: 4/7-5/4/14 2 36.75 ANSWERING SERVICE: 4/7-5/4/14 36.75 ANSWERING SERVICE: 171 ADDL MINUTES 3/10-4/6/14 3 128.25 Total 38809 201.75 04/16/2014 38810 2500 CARQUEST AUTO PARTS AIR FII TER 4 21 04/16/2014 38811 2590 CDW GOVERNMENT SERIAL PCI EXPRESS CARD FOR DONNER'S PC 34 39 04/16/2014 38812 19882 CELLCOM WAUSAU MSA BUILDING INSPECTOR CELL: THRU 3/20/14 88.55 04/16/2014 38813 19991 CENTRAL WI OPTICAL SAFETY GLASSES-SKRZYPCHAK 270.95 04/16/2014 38814 3220 CONTROL CONCEPTS TECH #81: ADAPTER 8.80 04/16/2014 38815 19843 DIVERSIFIED BENEFIT SERVICES FLEX ADMIN FEES (3) 68.84 FLEX ADMIN FEES (3) 2 68.84

Page: 15 Apr 16, 2014 03:01pm

Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 3	8815					137.68
04/16/2014	38816	4630	E O JOHNSON COMPANY	RICOH BLACK TONER	1	85.86
04/16/2014	38817	4910	FASTENAL COMPANY	TAP TO REDO THREADS ON SNOW BLOWER	1	22.70
				CREEPER WHEELS TO REPLACE BROKEN WHEELS	1	35.49
				1/2" RATCHET	1	43.72
				IMPACT GUN, DIE ELECTRIC GREASE	1	374.07
Total 3	8817					475.98
04/16/2014	38818	20024	FRONTIER	RYAN ST L/S:4/4-5/3/14	1	40.69
				EVERGREEN POINTE L/S: 4/4-5/3/14	1	40.69
				HARLYN AVE L/S: 4/10-5/9/14	1	42.92
Total 3	8818					124.30
04/16/2014	38819	5490	GANNETT WISCONSIN MEDIA	ORDINANCE TO AMEND CHAPTER 66 SOLID WASTE	3	11.15
				ZONING ORDINANCE AMENDMENT SEC 94.174	2	42.30
				REVISED MUNICIPAL COURT ORDINANCE	6	44.60
				REZN-2-14-1423 AUTIO - ORDINANCE	4	47.29
				REVISED LAW ENFORCEMENT ORDINANCE	5	70.36
				REZN-2-14-1423 AUTIO - HEARING NOTICE	1	75.36
Total 3	8819					291.06
04/16/2014	38820	7590	JERRY'S SMALL ENGINE SUPPLY CO	WALKER MOWER GAS SPG ASSY/CATCHER DOOR	1	43.46
				WALKER MOWER PARTS	1	51.94
Total 3	8820					95.40
04/16/2014	38821	8320	KRAUSE, DAVE	CELL PHONE REIMB: 3/20/14	1	20.00
04/16/2014	38822	8540	LACAL EQUIPMENT INC	WEAR KITS (2), IMPELLERS (2)	1	2,923.52
04/16/2014	38823	12810	LEGALSHIELD	DUES: MAR 2014	1	93.65
04/16/2014	38824	9920	MARATHON COUNTY TREASURER	04/12 CC TAX PMT #193-2808-323-0066	1	1,211.14
04/16/2014	38825	10520	MINNESOTA LIFE INSURANCE CO	METRO PREMIUM: MAY 2014	2	194.62
				VOW PREMIUM: MAY 2014	2	324.90
				VOW PREMIUM: MAY 2014	1	423.68
				METRO PREMIUM: MAY 2014	1	474.64
Total 3	8825					1,417.84
04/16/2014	38826	14130	MMG OCCUPATIONAL MEDICINE	EMPLOYEE HEALTH TESTS FROM 2013	1	61.80
				EMPLOYEE HEALTH TESTS FROM 2013	2	350.20
Total 3	8826					412.00
04/16/2014	38827	10800	MOTION INDUSTRIES INC	DISCOUNT ON INVOICE WI06-546700	2	1.30
				ROLLER CHAIN SPROCKETS	1	147.92
Total 3	8827					146.62
04/16/2014	38828	11070	NAPA AUTO PARTS - WESTON	#38 & SHOP SUPPLIES: BULBS (20)	1	71.80
04/16/2014	38829	11280	NETWORK PROFESSIONALS INC	WIRELESS INTERNET CREDIT: MAY 2014	2	35.00
				WIRELESS INTERNET ACCESS: MAY 2014	1	74.95

Page: 16 Apr 16, 2014 03:01pm

Date	Check No	Vendor No	Payee	Invoice Description	Seq	Seq Amount
Total 38	3829					39.95
04/16/2014	38830	20799	NETZEL, GREG	MAILBOX REIMBURSEMENT: 6213 CASEYRAE CT	1	19.55
04/16/2014	38831	12380	PER MAR SECURITY SERVICES	SECURITY MONITORING: 5/1-7/31/14	1	142.20
04/16/2014	38832	13530	RIB MT METRO SEWERAGE DISTRICT	O&M DUE: MARCH 2014	1	43,710.90
04/16/2014	38833	13580	RIISER ENERGY	FUEL: MAR 2014	10	34.84
				FUEL: MAR 2014	9	203.93
				FUEL: MAR 2014	2	300.10
				FUEL: MAR 2014	4	486.82
				FUEL: MAR 2014	6	699.27
				FUEL: MAR 2014	5	765.69
				FUEL: MAR 2014	8	1,070.95
				FUEL: MAR 2014	3	2,011.93
				FUEL: MAR 2014	7	6,042.93
				FUEL: MAR 2014	1	6,872.86
Total 38	3833					18,489.32
04/16/2014	38834	14430	SCHOFIELD, CITY OF	BALANCE DUE FROM MARCH 2013 COURT REVENUES	1	235.00
04/16/2014	38835	15970	TATRO, SHAUN	REIMB PURCHASE OF MEMORY CARD FOR GAME CAMERA	1	13.18
04/16/2014	38836	4260	UNEMPLOYMENT INSURANCE	UNEMPLOYMENT: CHRISTIANSEN, PROCKNOW, STANGE, KEARNS, BEHM	1	800.76
				UNEMPLOYMENT: CHRISTIANSEN, PROCKNOW, STANGE, KEARNS, BEHM	2	4,537.65
Total 38	3836					5,338.41
04/16/2014	38837	16770	UNITED STATES POSTAL SERVICE	POSTAGE-METER A/C 22083455: POSTAGE	1	2,000.00
04/16/2014	38838	16710	USA BLUE BOOK	LIFT STATION CHECK VALVE INVENTORY	1	303.06
				HOUR METER & CHECK VALVE	1	404.40
Total 38	3838					707.46
04/16/2014	38839	17370	WANTA, RICHARD	CELL PHONE REIMBURSE: DEC 2013/JAN-MAR 2014	1	80.00
04/16/2014	38840	17620	WAUSAU HYDRAULICS/MACHINE INC	HYD PRESS REPAIR COSTS	1	540.66
04/16/2014	38841	17720	WAUSAU TILE INC	PLANTER & PLAQUES - SCHOF & TARGET ACCIDENT	1	3,027.00
04/16/2014	38842	18580	WI DEPARTMENT OF JUSTICE	BACKGROUND CHECKS: MAR 2014 (4)	1	28.00
Totals:						1,291,341.49

Errors were found. Please check the report carefully.

Report Criteria:

Check.Check Issue Date = 03/13/2014-04/16/2014

Check.Check No = 38641-38842



Please review the information below and correct any	y errors shown:
NAME: TAHRI BACA	BUSINESS NAME: Kwik Trip #787
ADDRESS:	
NEW ADDRESS:	BIRTH DATE:
DRIVERS LICENSE #.	TELEPHONE NUMBER:
APPLICANT NOTICE:	
	ts. The VILLAGE OF WESTON may suspend, revoke or deny a license quested information or is not truthful in completion of this application.
	mits related to alcohol beverages to any person who has habitually been AGE determines, substantially relates to the licensing activity unless the
3. Even if your license has been granted by Council, it will be VILLAGE.	held if you owe any outstanding fines, forfeitures or other debts to the
4. Because application fees offset the cost to process your aplicense or not.	oplication, the fees are non-refundable regardless of whether you obtain a
Have you been arrested, or have charges pending or been co laws or ordinances here or any other municipality? NO	onvicted of any offenses, or violations or any federal, state, or municipal  YES (Complete arrest or conviction information below)
NAME STATUTE	# / LOCAL ORDINANCE
CHARGE WHERE CO	ONVICTED
DATE PENALTY	MISDEMEANOR FELONY
laws of the State of Wisconsin, the VILLAGE OF WESTON Magencies and commissions of the VILLAGE OF WESTON per	ree, in consideration of the granting of this license to comply with the unicipal Code and the rules and regulations of the various regulatory taining to the supervision of activities permitted under the license for be revoked by the VILLAGE OF WESTON according to the law.
Note: If you renew by mail and have not received your license	e by the end of June, please call the VILLAGE OF WESTON CLERK
(APPLICANT (SIGNATURE)	3/28/14 (DATE)
Remit completed application with payment to:	APPROVED
VILLAGE OF WESTON	Date 4.9.14
VILLAGE CLERK 5500 SCHOFIELD AVE, WESTON, WI 54476	By



5500 SCHOFIELD AVE, WESTON, WI 54476

CIOCIOCI III C. Operator cicerise	
	755ml Prov.
	·
Please review the information below and correct	
NAME: Ashlu Liedine	BUSINESS NAME: the Store
ADDRESS:	
NEW ADDRESS:	BIRTH DATE:
DRIVERS LICENSE #:	ELEPHONE NUMBER:
APPLICANT NOTICE:	
<ol> <li>The VILLAGE performs background checks on all applicated upon this application if the applicant fails to provide</li> </ol>	olicants. The VILLAGE OF WESTON may suspend, revoke or deny a license de requested information or is not truthful in completion of this application.
<ol> <li>The VILLAGE OF WESTON does not issue licenses of a law offender or has been convicted of a <u>felony</u> that the person has been duly pardoned.</li> </ol>	or permits related to alcohol beverages to any person who has habitually been VILLAGE determines, substantially relates to the licensing activity unless the
3. Even if your license has been granted by Council, it w VILLAGE.	ill be held if you owe any outstanding fines, forfeitures or other debts to the
4. Because application fees offset the cost to process yo license or not.	our application, the fees are non-refundable regardless of whether you obtain
Have you been arrested, or have charges pending or be laws or ordinances here or any other municipality?	en convicted of any offenses, or violations or any federal, state, or municipal HO YES (Complete arrest or conviction information below)
NAMESTAT	UTE # / LOCAL ORDINANCE
CHARGE WHER	
DATE PENALTY	MISDEMEANOR FELONY
List additional information regarding arrest / convict	ion information on the back of this application.
I hereby testify the above information is true and correct, laws of the State of Wisconsin, the VILLAGE OF WESTO agencies and commissions of the VILLAGE OF WESTO which this application is made. I understand this license	I agree, in consideration of the granting of this license to comply with the DN Municipal Code and the rules and regulations of the various regulatory N pertaining to the supervision of activities permitted under the license for may be revoked by the VILLAGE OF WESTON according to the law.
Note: If you renew by mail and have not received your li	icense by the end of June, please call the VILLAGE OF WESTON CLERK
(APPLICANT (SIGNATURE)	4-114
Remit completed application with payment to:	APPROVED
· · ·	Date 4-9-14
VILLAGE OF WESTON VILLAGE CLERK	By Uh
5500 SCHOELE DAVE MESTON MERAZO	



Please review the information below and correct	any errors shown:
NAME: Brina Sulliva	M BUSINESS NAME: THE STORE
ADDRESS:	116 5101
NEW ADDRESS:	BIRTH DATE:
DRIVERS LICENSE#:	ELEPHONE NUMBER:
APPLICANT NOTICE:	
<ol> <li>The VILLAGE performs background checks on all application if the applicant fails to provide</li> </ol>	cants. The VILLAGE OF WESTON may suspend, revoke or deny a license requested information or is not truthful in completion of this application.
2. The VILLAGE OF WESTON does not issue licenses or	permits related to alcohol beverages to any person who has habitually been ILLAGE determines, substantially relates to the licensing activity unless the
<ol><li>Even if your license has been granted by Council, it will VILLAGE.</li></ol>	be held if you owe any outstanding fines, forfeitures or other debts to the
<ol> <li>Because application fees offset the cost to process you license or not.</li> </ol>	r application, the fees are non-refundable regardless of whether you obtain a
Have you been arrested, or have charges pending or beer laws or ordinances here or any other municipality?	o convicted of any offenses, or violations or any federal, state, or municipal YES (Complete arrest or conviction information below)
NAME STATU	TE#/LOCAL ORDINANCE
CHARGE WHERE	
DATE PENALTY	MISDEMEANOR FELONY
List additional information regarding arrest / convictio	n information on the back of this application.
I hereby testify the above information is true and correct. I laws of the State of Wisconsin, the VILLAGE OF WESTON agencies and commissions of the VILLAGE OF WESTON.	agree, in consideration of the granting of this license to comply with the // Municipal Code and the rules and regulations of the various regulatory pertaining to the supervision of activities permitted under the license for nay be revoked by the VILLAGE OF WESTON according to the law.
	ense by the end of June, please call the VILLAGE OF WESTON CLERK
BMS CAPPLICANT (SIGNATURE)	(DATE) / 01 /20/4
Remit completed application with payment to:	APPROVED
VILLAGE OF WESTON	Date 4-9-14
VILLAGE CLERK	By
5500 SCHOFIELD AVE, WESTON, WI 54476	



Please review the information below and correct any	y errors shown:
NAME: Margaret Webb	BUSINESS NAME: Down the Hill
ADDRESS:	- -
NEW ADDRESS:	BIRTH DATE:
DRIVERS LICENSE #:	TELEPHONE NUMBER:
APPLICANT NOTICE:	
<ol> <li>The VILLAGE performs background checks on all applicant issued upon this application if the applicant fails to provide req</li> </ol>	is. The VILLAGE OF WESTON may suspend, revoke or deny a license puested information or is not truthful in completion of this application.
2. The VILLAGE OF WESTON does not issue licenses or per	mits related to alcohol beverages to any person who has habitually been AGE determines, substantially relates to the licensing activity unless the
3. Even if your license has been granted by Council, it will be I VILLAGE.	held if you owe any outstanding fines, forfeitures or other debts to the
4. Because application fees offset the cost to process your aplicense or not.	plication, the fees are non-refundable regardless of whether you obtain a
Have you been arrested, or have charges pending or been cor laws or ordinances here or any other municipality? NO	nvicted of any offenses, or violations or any federal, state, or municipal  YES (Complete arrest or conviction information below)
NAME MANGARET 5 Stockmid FTATUTE:	#/LOCAL ORDINANCE
CHARGE 15. CONDUCT WHERE CO	DINVICTED Marathon
DATE OS PENALTY	MISDEMEANOR FELONY
List additional information regarding arrest / conviction in	formation on the back of this application
I hereby testify the above information is true and correct. I agr laws of the State of Wisconsin, the VILLAGE OF WESTON Mu agencies and commissions of the VILLAGE OF WESTON ned	ree, in consideration of the granting of this license to comply with the unicipal Code and the rules and regulations of the various regulatory taining to the supervision of activities permitted under the license for be revoked by the VILLAGE OF WESTON according to the law.
Note: If you renew by mail and have not received your license	by the end of June, please call the VILLAGE OF WESTON CLERK
Mercant (SIGNATURE)	9 4-1-14 (DATE)
Remit completed application with payment to:	APPROVED
VILLAGE OF WESTON VILLAGE CLERK	Date $\frac{4 \cdot 9 \cdot 14}{4 \cdot 4 \cdot 4}$
5500 SCHOFIELD AVE, WESTON, WI 54476	By

### VILLAGE OF WESTON VILLAGE BOARD REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Residential Business - Zoning Land Use Permit for ABC Family Daycare, 5507 Zadra Street	
ENERGOV#	RBUS-3-14-5047	
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development	
REPORT DATE:	April 16, 2014	
VILLAGE BOARD DATE:	April 21, 2014	
contingent on the applicant providir	MMENDATON: Recommendation to approve the ness permit from 6103 Quentin St to 5507 Zadra Street g verification to the Village of State licensing at this new ential Business Permit Issuance Date or the permit will be	
ADMINISTRATOR COMMENTS:  No additional comments:  See attached comments:		
	5 Residential Business Permit the applicant has for her 103 Quentin Street, to the new home she will be	
APPLICANT: ABC Family Childcare,	owner Lynn Barttelt	
PROPERTY OWNER: Kevin & Lynn B	arttelt	
PROPERTY DESCRIPTION: 5507 Zad	ra Street, Weston WI 54476	
Lot 19, Block 17 of the Replat of the	4 <sup>th</sup> Addition to Western Acres	
ZONING: R-2 Residential single-family district		
SURROUNDING LAND USES: single-family homes		

BACKGROUND INFORMATION: Back in 2005, Ms. Barttelt received a Residential Business Permit to operate her Family Daycare Home, ABC Family Daycare, at her home at 6103 Quentin Street. She recently sold this home and has purchased a home at 5507 Zadra Street where she plans to continue operating this business.

Ms. Barttelt/ABC Family Childcare, is a state licensed in-home childcare facility. Her license # is 1009712 and per the WI Dept of Children & Families website http://dcf.wisconsin.gov/childcare/licensed/Directories/LCC-Directories.HTM she has been

licensed since 10/28/03 as a licensed child care facility in Marathon County at her current location. She is licensed for up to 8 children, ages 6 weeks to 12 years old, Monday through Friday, 6:30am to 5pm. Her license is in good standing with the State and we have never received any zoning related complaints on her property or the business. She plans to have her new home re-licensed by the state effective after they move in on April 25, 2014. Verification of this new license by the State should be filed with the Village within 60 days of the Residential Business Permit Issuance Date or the permit will be revoked.

The Plan Commission reviewed this request at their 4/14/14 meeting and recommended approval per the staff recommendation contained in the staff report.

#### CRITERIA FOR REVIEW:

Sections 94.113 & 94.180	Meets Criteria?	Notes
1. All standards of this chapter and other village regulations are met.	Yes	Residential business permits as defined in Sec. 94.113 are permitted accessory uses within the R-2 zoning district. A family daycare home is considered a residential business.

# Fee Submitted F25.00 Check# 3335 Rec'd by Valente Parker Date 3-18-14 Revised 1/1/2010

separate sheet

## APPLICATION FOR RESIDENTIAL BUSINESS ZONING LAND USE PERMIT

VILLAGE OF WESTON 5500 SCHOFIELD AVENUE MARATHON COUNTY, WESTON, WISCONSIN 54476

APPLICATION #	1 40	(For office use on	ily)
APPLICATION #	04/	(For office	e use on

The conduct of small businesses or occupations which are clearly incidental to the use of a residence will be allowed as a permitted accessory use in any RESIDENTIAL DISTRICT subject to the limitations and prohibitions contained herein and subject to all other applicable laws and regulations. Responsible Party Phone **Dwelling Address Email Address Property Owner** (If applicant is renting, please provide written Name of Business Nature of Business Are only family members, residing at this location, employed Yes No at this location, and/or one (1) non-resident employee, employed at this location? Is Residential business secondary to principal use? Is less than 50% of floor space devoted to this occupation? Is an accessory building used? Size X , Sq. Ft. Are exterior features of dwelling similar to others in the area? 6. Will a name plate less than three (3) Sq. Ft. be used to advertise the location? 7. Will only typical household mechanical and electrical equipment be used? 8. Will only two (2) or less customer/clients be on-site at any given time, during normal business hours? (Family Day Care homes are exempt.) Exem 9. Is off street, screened parking provided for employees and customers/clients? 10. Is there any outdoor storage of supplies or equipment?

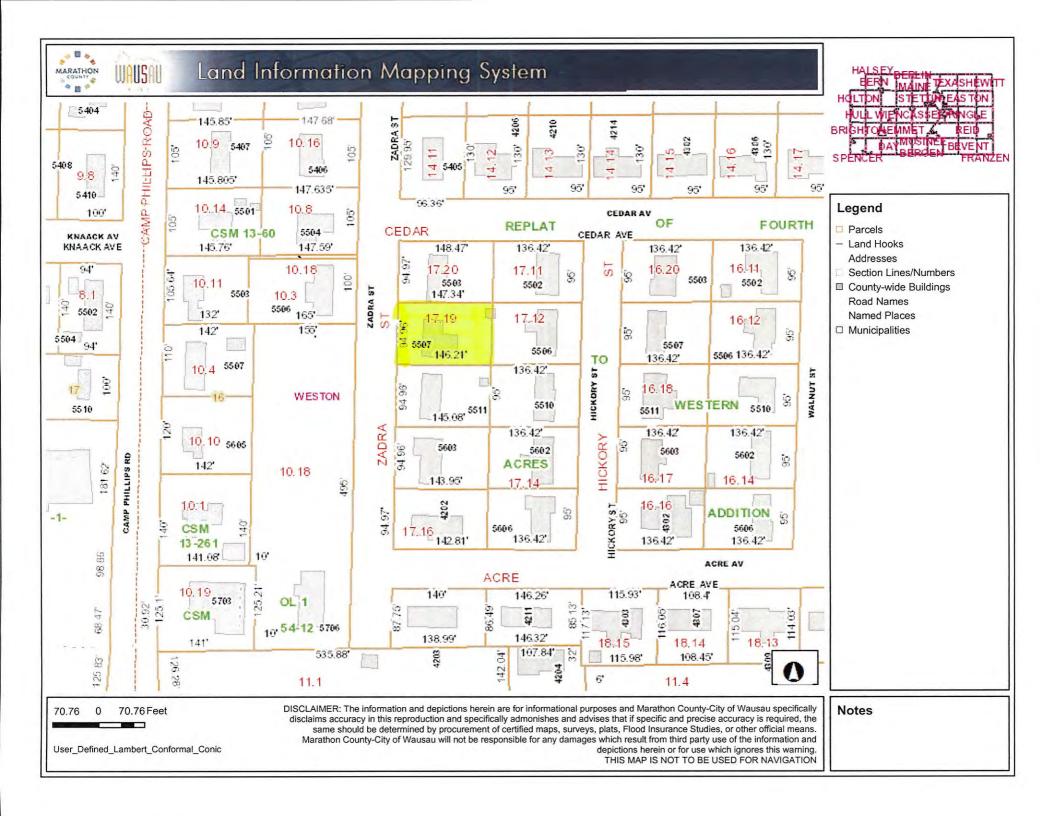
Please supply the operational plan & any additional Information you feel that staff/PC/Board should know on a

Residential business means a home office or household occupation conducted principally by members of the family but may permit up to one employee not a resident on the premises, entirely within buildings of the place of residence, does not exceed half the area of the floor, and where the presence of the customer or client may involve his being on the premises while the service is being performed, provided that no more than two (other than those already exempt by "household occupation") are to be on the premises at once, that off-street parking, if required, is located and screened so as to be compatible to the surrounding residential area, that any sign is limited to a nameplate not in excess of three square feet in area, and that a zoning permit for such a use shall not be issued until the planning commission has reviewed the proposed use and determined that the use will meet the above conditions. A Family day care home is considered a residential business and therefore requires a residential business permit to operate, even though more than two clients may come to the premises. (See Family day care home)

Family day care home means a dwelling licensed as a day care center by the department of health and family services under Wis. Stats. §48.65, where care and supervision is provided for up to 8 children regardless of age for less than 24 hours a day without the attendance of a parent, relative or legal guardian. All such facilities shall comply with HFS Chapters 45, 46 and 55 and all other applicable municipal or state codes. These terms shall not include hospitals, nursing homes, Sunday schools, facilities under the direction of an established and accredited school system, facilities used for club or organization meetings when such club or organization regularly meets no more than once a week, or casual babysitting. (See also "Large Group Day Care Center")

Zoning Administrator: Contingencies:	Date	(Office Use Only)Approved/Disapproved
Plan Commission Reco Approved/Disapproved –		ge Board on (Date)
Village Board: Contingencies:	Date	_Approved/Disapproved
	date 4	
* If m Send	nailing pe	rmit before April 25th please rent axthess at 6103 Quantin st
	/	Trank-411

Lynn Consolver-Barttelt is moving her Daycare from 6103 Quentin St to our new residence at 5507 Zadra Street, Weston. I will still be licensed by the State to run an In home Daycare.





October 18, 2005

ABC Family Childcare Lynn Consolver 6103 Quentin Street Weston, WI 54476

RE: RESIDENTIAL BUSINESS PERMIT REQUEST FOR ABC FAMILY CHILDCARE (LYNN CONSOLVER) 6103 QUENTIN STREET (FAMILY DAY CARE)

Dear Lynn,

On October 10, 2005, the Village of Weston Planning Commission held a meeting to discuss your request for a residential business permit to operate ABC Family Childcare from your home located at 6103 Quentin Street. At the meeting the Planning Commission made the recommendation to the Village Board to approve the residential business permit.

The Village Board then held a meeting on October 17, 2005, where the Planning Commission recommendation was considered. At that meeting, the Village Board made the final decision to approve the residential business permit for ABC Family Childcare to be operated out of your home at 6103 Quentin Street.

The residential business permit for 6103 Quentin Street was approved with no contingencies; please contact Al Breu, Village Zoning Administrator/Building Inspector at 359-6114, if you have any further questions. There will be no further paperwork needed; you are now approved to start your business in your home. I have enclosed a copy of your approved residential business permit application and your official Residential Business Permit. Please note that the permit is only valid at 6103 Quentin Street and if the business were moved to another location in the Village, a new permit would need to be applied for.

If you have any questions or comments on this issue, please feel free to contact me at (715) 241-2638.

Sincerely,

lennifer ♥. Higgins

Community Development Director

**Enclosures** 

cc: Al Breu, Building Inspector/Zoning Administrator

# Fee Submitted Check # 15 17 Rec'd by Valuate 9-29-05

### APPLICATION FOR RESIDENTIAL BUSINESS ZONING LAND USE PERMIT

VILLAGE OF WESTON 5500 SCHOFIELD AVENUE MARATHON COUNTY, WESTON, WISCONSIN 54476

The conduct of small businesses or occupations which are clearly incidental to the use of a residence will be allowed as a permitted accessory use in any RESIDENTIAL DISTRICT subject to the limitations and prohibitions contained herein and subject to all other applicable laws and regulations.

Re	sponsible Party Lynn M Consolver Phone 359-2998
Dw	relling Address 6/03 Quentin 5t Weston 57476
Bu	siness Name ABC Family Childcare
Na	ture of Business Licensed Th-home Day care
1.	Are only family members, residing at this location, employed at this location, and/or one (1) non-resident employee, employed at this location?
2.	Is Residential business secondary to principal use?
3.	Is less than 50% of floor space devoted to this occupation?
4.	Is an accessory building used? SizeX, Sq. FtX
5.	Are exterior features of dwelling similar to others in the area?
6.	Will a name plate less than three (3) Sq. Ft, be used to advertise what the location?
7.	Will only typical household mechanical and electrical equipment be used?
8.	Will only two (2) or less customer/clients be on-site at any given time, during normal business hours? (Family day care homes Exempt are exempt.)
9.	and customers/clients? Drive or USE only 8x /2 /
10	. Is there any outdoor storage of supplies or equipm ent? The Shed x
Aç	ditional Information Proyider 15 certified + Cicensed
1	tave a tencent yourd.
Ap	oplicant Signature June Console Date 9/33/05
•••	(Office Use Only)
	ilding Inspector: Date 9-29-03 Approved/Disapproved Aws
	anning Commission Recommendation to the Village Board on (Date) 10-10-05  proved/Disapproved – Contingencies:
	Ilage Board: Date / 0 - 117 - 0 5 Approved/Disapproved ontingencies:





VILLAGE OF WESTON, MARATHON COUNTY, STATE OF WISCONSIN RESIDENTIAL BUSINESS LICENSE # 2005000139 10/18/2005

NON-TRANSFERABLE

\_\_\_\_\_

The required license fee of granted from 10/18/2005

\$50.00 has been paid and license is hereby for RESIDENTIAL BUSINESS

(Subject to the provisions and applicable statutes and ordinances and such provisions and regulations as may at any time be imposed by the State of Wisconsin or Municipal Government).

BUSINESS: ABC FAMILY CHILDCARE 6103 QUENTIN STREET

LOCATION: 10-18-05 THROUGH CURRENT RESIDENCY

LYNN M CONSOLVER 6103 QUENTIN STREET WESTON WI 54476 GIVEN UNDER MY HAND AND THE CORPORATE SEAL OF THE VILLAGE OF WESTON ON 10/18/2005

VILLAGE CLERK

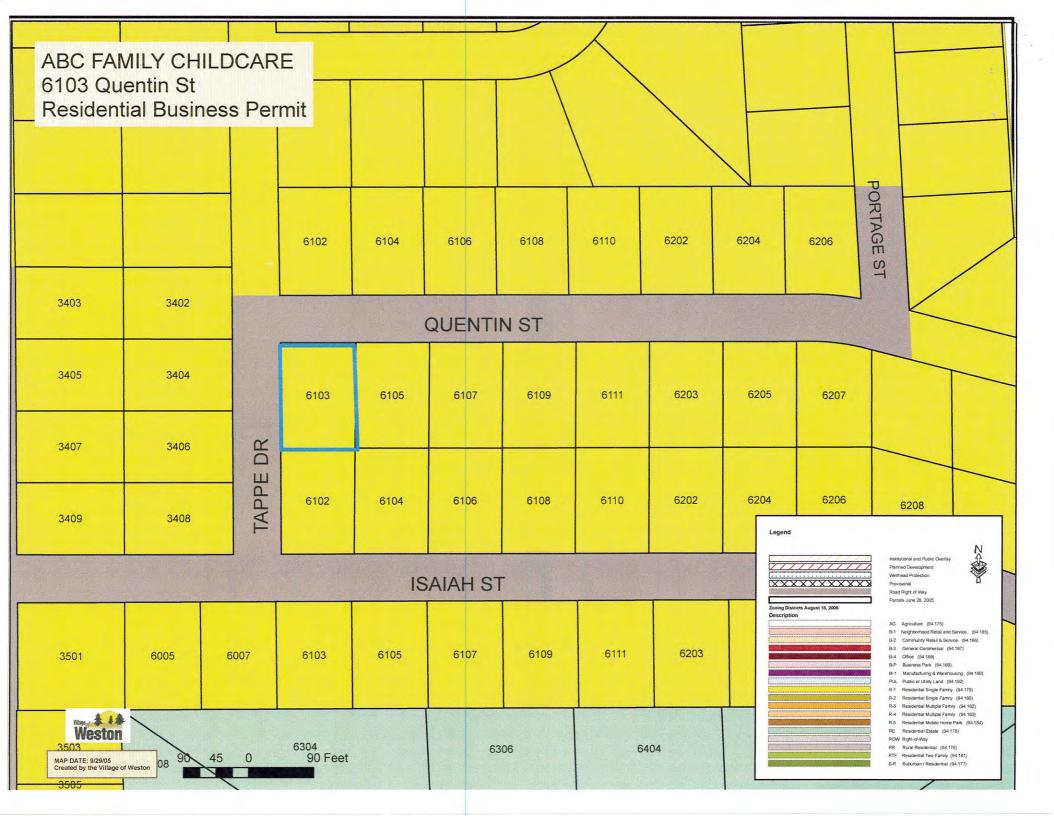
LRS520

ZONING DISTRICTS: (R1) RESIDENTIAL SINGLE FAMILY

SEAL







## VILLAGE OF WESTON VILLAGE BOARD REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Resolution VW-14-11 - Resolution approving the 50' wetland setback restrictions and the 50' building setback restrictions along Progress Way to be removed from the Recorded Plat of Weston Business and Technology Park - South.
ENERGOV#	N/A
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning and Development
REPORT DATE:	April 17, 2014
VILLAGE BOARD DATE:	April 21, 2014
STAFF & PLAN COMMISSION RECO Recommendation to approve the re 50' wetland setbacks through the a	moval of the 50' building setbacks along Progress Way and
ADMINISTRATOR COMMENTS:  No additional comments:  See attached comments:	
	Approval of Resolution VW-14-11 - Resolution approving the 50' wetland setback restrictions and the 50' building setback restrictions along Progress Way to be removed from the Recorded Plat of Weston Business and Technology Park - South
APPLICANT: Jennifer Higgins, Pla	nning and Development Director - Village of Weston
PROPERTY OWNER: Village of West 6), and Matthiae MRM, LLC (Lot 8)	on (Lot 1-5, 7 and 9; Outlots 1-3), FTF Properties, LLC (Lot
southeast quarter of Section 23, an Section 24, and being a resubdivision subdivision of part of the southeast Section 24, all in Township 28 North Wisconsin. The Plat of Weston Bus	subdivision of part of the southeast quarter of the d part of the southwest quarter of the southwest quarter of on of Marathon County Certified Survey NO. 14815, being a quarter of Section 23, and part of the southwest quarter of n, Range 8 East, Village of Weston, Marathon County, iness and Technology Park – South was filed in Cabinet 3 of 1483321, Marathon County Register of Deeds on July 11,
ZONING: LMD Light manufacturing	and distribution

SURROUNDING LAND USES: Transportation (STH 29), vacant land, manufacturing

BACKGROUND: In 2007, the Village platted the Smith property to develop Weston Business and Technology Park – South. At the time a 50' Village building setback, 50 foot required highway DOT setback and a 50 ft wetland setback were placed on the plat.

We are asking the Village Board to approve the removal of the 50' Village building setback along Progress Way and the 50' wetland setbacks from the Plat (highlighted in yellow). The Village is actively marketing the lots for development and the 50 ft wetland and building setback has made Lots 1 and 2 virtually unmarketable due to the lack of buildable land left after you add the setbacks and deal with the ANR pipeline.

Staff has been looking into why the building setbacks were shown on the original plat. Typically they are not shown, at least for Village building setbacks, as that can change. Which is the case with this plat when we rezoned the plat properties to LMD Light manufacturing and distribution back in 2011.

We believe the current setbacks came from the Covenants that were developed for the original Business & Technology Park on the north side of STH 29. I learned recently, these covenants were never amended to add Business Park South so they would not be required to apply to the lots. The setbacks would instead be dictated by the zoning district the plat was located in. Also, in the sale documents with current Business Park tenant, From the Forest, it appears the zoning had at one time been planned for M-1 Manufacturing and warehousing, which has a 50 ft street yard building setback. For whatever reason, the property was instead zoned to BP Business Park which had at the time a 40 ft setback and as stated earlier, in 2011 we rezoned the plat to the new LMD zoning district. The LMD district has a 40 ft street yard building setback.

Staff has discussed the reason for the 50' setback with the WDNR and Army Corp of Engineers. Both agencies are stating they are not requiring the setbacks. CWE has found the setback to be strictly a Village requirement. WDNR allows building right up to the edge of the wetland, however, there are WDNR setbacks for storm water discharge (things like runoff from a parking lot). The setback, however, does not need to be shown on the plat, as it currently is. The buyer would be responsible for complying with the storm water discharge setback, not the village. This will be reviewed during site plan review as they will be project specific.

Since the Village is actively negotiating with potential buyers of lots in Weston Business and Technology Park – South, we are trying to clean up the Plat to make the lots more saleable. Removing the 50 foot setbacks will help increase the buildability and the salability of the lots, especially Lots 1 and 2 next to the wetlands. The current zoning, LMD, will allow for a 40 foot street yard setback and per Sec. 94.125(b)(8), the wetland setback will instead be 10 feet.

<u>Chapter 236</u> of Wis. State Statutes, specifically Chapter 236.295, allows for the correction of a recorded plat via an affidavit to correct details on a recorded plat. It further requires that this affidavit be approved prior to recording by the governing body of the municipality in which the subdivision is located. Therefore, the Village Plan Commission and Board of Trustees would first need to approve the corrections.

I have attached a Resolution which the Board needs to approve to allow the Affidavit of Correction to be recorded at the Register of Deeds. CWE has put together the Affidavit of

Correction which would then be used to record the Board adopted resolution and correct the plat to remove the setbacks.

The Plan Commission discussed this at their meeting on 4/14/14 and made a recommendation to the Village Board to approve removing the 50' village setback and the 50' wetland setback from the Plat.



#### 2014 BOARD OF TRUSTEE RESOLUTION VW-14-11

A Resolution approving the 50' wetland setback restrictions and the 50' building setback restrictions along Progress Way to be removed from the Recorded Plat of Weston Business and Technology Park - South.

Whereas, the Plat of Weston Business and Technology Park – South is located in the Village of Weston; and

Whereas, the Plat of Weston Business and Technology Park – South was filed in Cabinet 3 of Plats on Page 495 as Document No. 1483321, Marathon County Register of Deeds on July 11, 2007; and

Whereas, said Plat contains a restriction that states there is to be a fifty (50) foot wetland setback from the edge of the delineated wetland boundary; and

Whereas, said Plat also contains a restriction that there is to be a fifty (50) foot building setback from the right of way of Progress Way; and

Whereas, the Village would like to remove these Plat imposed setbacks and instead regulate setbacks based on the Village's Code of Municipal Ordinances, in particular Chapter 94 Zoning.

Whereas, Chapter 236.295 of Wis. State Statutes allows for the correction of a recorded plat via an affidavit to correct details on a recorded plat; and

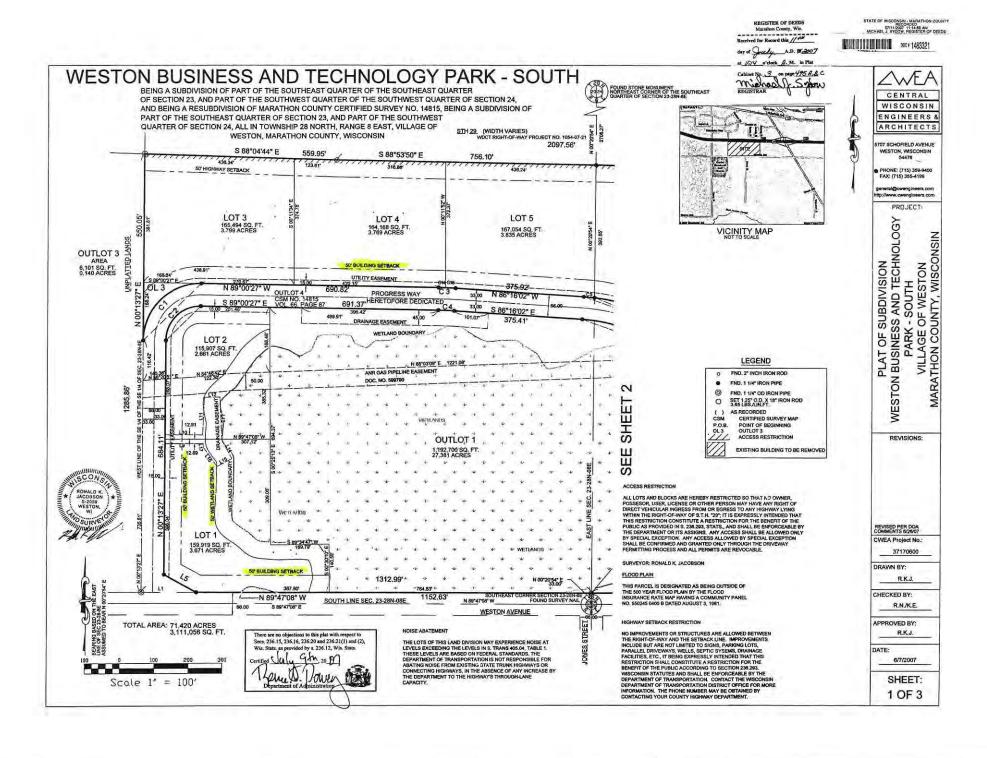
Whereas, per Chapter 236.295 of Wis. State Statues, it is the duty of the Board of Trustees to approve this affidavit prior to its recording; and

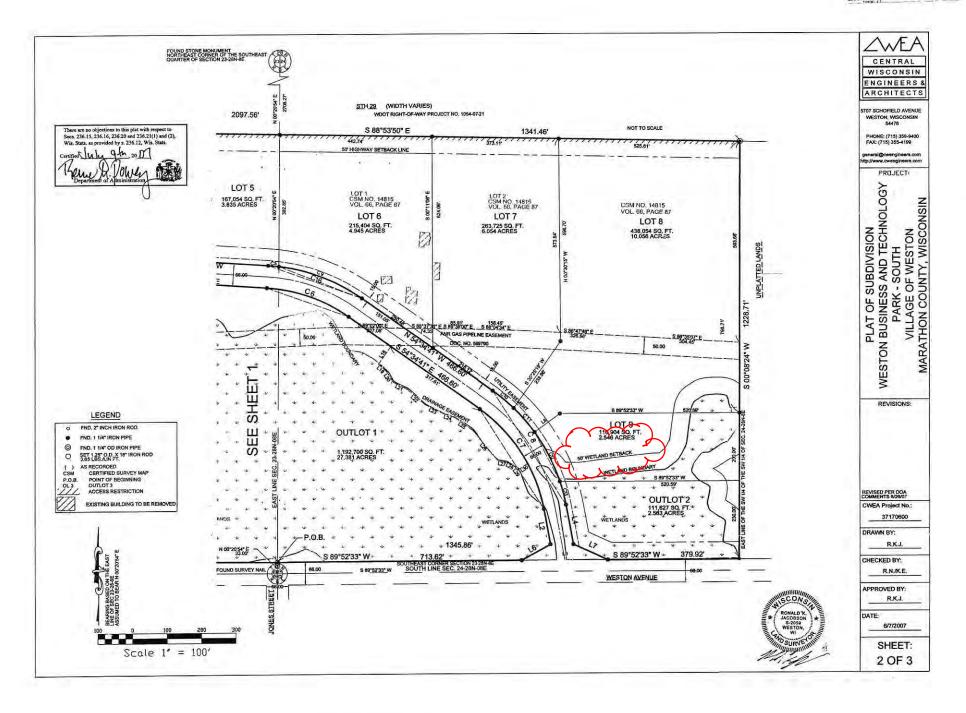
Whereas, the Village Plan Commission met on April 14, 2014 and did review the Plat; and

Now, therefore, be it further resolved the Village of Weston Plan Commission at its meeting of April 14, 2014 that it recommends to the Board of Trustees that they approve the Affidavit of Correction which allows for the modification of the Plat to remove the 50' wetland setback and the 50' building setback currently shown on the Plat.

**Be it further resolved**, the Director of Planning and Development be hereby authorized to carry out with specific actions the intent of this resolution.

Approved this 21st day of April, 2014:	Attest:	
Loren White, President	Sherry Weinkauf, Clerk	





### WESTON BUSINESS AND TECHNOLOGY PARK - SOUTH BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER

OF SECTION 23, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, AND BEING A RESUBDIVISION OF MARATHON COUNTY CERTIFIED SURVEY NO. 14815, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 23, AND PART OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

#### SURVEYOR'S CERTIFICATE

I, RONALD K. JACOBSON, REGISTERED LAND SURVEYOR, HEREBY CERTIFY: THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236, WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE VILLAGE OF WESTON, AND UNDER THE DIRECTION OF THE VILLAGE BOARD OF THE VILLAGE OF WESTON, I HAVE SURVEYED, DIVIDED, AND MAPPED WESTON BUSINESS AND TECHNOLOGY PARK -SOUTH AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED AND IS LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 AND PART OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 28 NORTH, RANGE 8 EAST, ALSO BEING PART OF LOTS 1, 2, AND 3 OF MARATHON COUNTY CERTIFIED SURVEY MAP NO. 14815 AS RECORDED IN VOLUME 66 OF CSM, PAGE 87 IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, IN VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AND FUTHER DESCRIBED AS

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23; THENCE NORTH 00 DEGREES 20 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 23, 33.00 FEET TO THE NORTH RIGHT-OF-WAY OF WESTON AVENUE AND THE TRUE POINT OF BEGINNING: THENCE NORTH 89 DEGREES 47 MINUTES 88 SECONDS WEST ALONG THE MORTH RIGHT-OF-WAY OF WESTON AVENUE, 1312-98 FEET TO THE WEST LINE OF THE SOUTHEAST GUARTER OF THE SOUTHEAST GUARTER OF SAID SECTION 23; THENCE NORTH OD DEGREES 13 MINUTES 27 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, 1285.86 TO THE SOUTH RIGHT-OF-WAY OF STATE TRUNK HIGHWAY 29; THENCE SOUTH 88 DEGREES 04 MINUTES 44 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY OF STATE TRUNK HIGHWAY 29, 559.95 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 50 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY OF STATE TRUNK HIGHWAY 29, 756.10 FEET TO THE EAST LINE OF SAID SECTION 23; THENCE CONTINUING SOUTH 88 DEGREES 53 MINUTES 50 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY OF STATE TRUNK HIGHWAY 29, 1341.46 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24; THENCE SOUTH 00 DEGREES 08 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, 1228,71 FEET TO THE NORTH RIGHT-OF-WAY OF WESTON AVENUE: THENCE SOUTH 89 DEGREES 52 MINUTES 33 SECONDS WEST ALONG THE NORTH RIGHT-OF-WAY OF WESTON AVENUE, 1345.86 FEET TO THE POINT OF BEGINNING AND ALL CONTAINING 3,111,056 SQUARE FEET (71.420 ACRES) MORE OR LESS.

EXCEPTING THAT PART OF PROGRESS WAY AS DEDICATED AS OUTLOT 4 OF MARATHON CERTIFIED SURVEY MAP NO. 14815 AS RECORDED IN VOLUME 66 OF CSM,

JUNE 26, 2007

RONALD K JACOBSON S-2059 REGISTERED LAND SURVEYOR

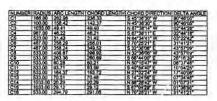


CERTIFICATE OF VILLAGE TREASURER

STATE OF WISCONSIN COUNTY OF MARATHON

I, JOHJ JACAS BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE VILLAGE OF WESTON DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES ON UNPAID SPECIAL ASSESSMENTS AS OF THIS 10°C DAY OF BUSINESS AND TECHNOLOGY PARK - SOUTH.

7/10/07



AS OWNERS, WE HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED ON THIS FLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THE FLAT. WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR

1.) VILLAGE OF WESTON
2.) DEPARTMENT OF ADMINISTRATION

OWNERS CERTIFICATE

3 DEPARTMENT OF TRANSPORTATION

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS 10th

IN PRESENCE OF

7-10-07 402 7-10-07

STATE OF WISCONSIN) COUNTY OF MARATHON

PERSONALLY CAME BEFORE ME THIS 10 TO DAY OF 10/1/2 2007, THE ABOVE NAMED VILAS E, MACHIMUELLER, VILLAGE PRESIDENT AND DEAN A ZULEGER, VILLAGE ADMINISTRATOR, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE PORECONIS ON INSTRUMENT AND ACKNOWLE DOGG THE SAME.

O Brie , NOTARY PUBLIC, Marathon

MY COMMISION EXPIRES 08/30/2009



CERTIFICATE OF COUNTY TREASURER

STATE OF WISCONSIN

LORANGE BEYENS BEING THE DULY ELECTED, QUALIFIED AND ACTING 

7-11-07

SURVEYORS NOTE.
ALL LOT CORNERS ARE MONUMENTED WITH A .75" x 18" IRON ROD WEIGHING 1.13 LBS/LIN. FT. UNLESS OTHERWISE SHOWN.

1.) ALL DIMENSIONS MEASURED AND SHOWN TO THE HUNDRETH OF A FOOT: ALL ANGLES MEASURED TO THE NEAREST SECOND, AND COMPUTED TO THE NEAREST SECOND,

2.) UTILITY EASEMENTS - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAME OR OBSTURE THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAME BY ANYONE IS A WOLATION OF S. 23.03.2 WIS STATE SUTTLY EASEMENTS AS HEREIN SET WORLT WAS FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

3.) OUTLOT 1, 2, AND 3 ARE INTENDED TO BE RETAINED BY THE VILLAGE OF WESTON UPON RECORDING OF THIS PLAT AND MAY NOT BE USED FOR BUILDING PURPOSES. SUBDIVIDER: VILLAGE OF WESTON

VILLAGE BOARD RESOLUION

RESOLVED, THAT THIS PLAT LOCATED IN THE VILLAGE OF WESTON, OWNER, IS HEREBY APPROVED BY THE VILLAGE BOARD OF THE VILLAGE OF WESTON.

DATE 6-18-07 APPROVED

DATE 7-10-07 SIGNED

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE WESTON.

There are no objections to this plat with respect to Secs. 236,15, 236.16, 236.20 and 236.21(1) and (2),

CENTRAL WISCONSIN ENGINEERS & ARCHITECTS

707 SCHOFIELD AVENUE WESTON, WISCONSIN 54476

PHONE: (715) 359-9400 FAX: (715) 355-4199

PRILIFCT

PLAT OF SUBDIVISION
WESTON BUSINESS AND TECHNOLOGY
PARK - SOUTH
VILLAGE OF WESTON
MARATHON COUNTY, WISCONSIN

REVISIONS:

REVISED PER DOA COMMENTS 6/26/07

37170600 DRAWN BY:

R.K.J. CHECKED BY:

R.N.K.E. APPROVED BY:

R.K.J. DATE

> 6/7/2007 SHEET: 3 OF 3

AFFIDAVIT OF CORRECTION	
DOCUMENT NO.	RETURN TO:
	CWE Inc. 5707 Schofield Ave.
STATE OF WISCONSIN) ) SS	Weston, WI 54476
COUNTY OF MARATHON)	
I John L. Stone, Wisconsin Registered Land Surveyor No. 25 the Plat of Weston Business and Technology Park – South a Document No. 1483321, Marathon County Register of Dee following restriction:	as filed in Cabinet 3 of Plats on Page 495 as
The Plat states that there is to be a 50' wetland setback from This plat is to be amended to have <b>no wetland setback</b> , ap will regulate the setback based on the Village's Code of Mu	proved by the Village of Weston. The Village
The Plat states that there is to be a 50' building setback from is to be amended to have <b>no building setback</b> , approved by regulate the setback based on the Village's Code of Munici	y the Village of Weston. The Village will
Attached is a letter from the Village of Weston which relea setback and the 50' building setback shown on said Plat. The this affidavit of correction.	-
John L. Stone Date R.L.S. #S-2570	
STATE OF WISCONSIN)	
) SS COUNTY OF MARATHON)	
Personally came before me on this day of 2014, the above named John L. Stone to be known to be the Who executed the afore said affidavit and acknowledged the same personal structure.	is person
Notary Public Marathon County, Wisconsin My Commission Expires	

### VILLAGE OF WESTON VILLAGE BOARD REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:		ending Article IX. Signs Code Relating To "Elec			
ENERGOV#	N/A				
REQUEST PREPARED BY:	Jennifer Higgins;	Director of Planning &	Devel	opment	
REPORT DATE:	April 17, 2014				
VILLAGE BOARD DATE:	April 21, 2014				
STAFF AND PLAN COMMISSION RE	COMMENDATON: submitted.	Recommendation	to .	Approve	as
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:					

#### BACKROUND INFORMATION:

The proposed changes come from the new proposed zoning code update the Village is working on with MDRoffers. These are some changes staff felt should be made immediately as the new ordinance will not be ready for public hearing and approvals until fall.

With changing sign technology, a number of signs being proposed recently utilize full color. Our new ordinance is not restricting color of sign lettering or technology. We also feel the 30 second requirement between message transitions is excessive. The Intergovernmental Zoning Steering Committee agrees and is proposing 10 seconds in the new ordinance.

The Plan Commission held a Public Hearing on 4/14/14. No one spoke in opposition of the proposed changes. The PC recommended approval of the ordinance changes 6-0.



Proposal:

An Ordinance Amending Article IX. Signs, Section 94.157, of The Municipal Code Relating To "Electronic Message Unit Signs."

Proposed By:

Jennifer Higgins, Director of Planning & Development

Committee Action:

Ordinance underwent a public hearing at the April 14, 2014, Plan Commission Meeting.

Prior Consideration:

This ordinance was the result of staff recommendations and discussions held at the April 14, 2014, Plan Commission Meeting.

Recommendation:

Plan Commission recommends approval (6-0 in favor)

### VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AN ORDINANCE AMENDING ARTICLE IX, SECTION 94.157 (b)(5), OF THE MUNICIPAL CODE ENTITLED "ELECTRONIC MESSAGE UNIT SIGNS"

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Section 94.157 (b)(5) of the Village Of Weston Ordinances is hereby amended in the manner and form made a part hereof as if fully set forth herein at length as follows:

- (5) Electric message unit signs. Electronic message unit signs shall be subject to the following:
  - a. Such signs may be used only to advertise activities conducted on the premises or to present public service information.
  - b. Segmented messages must be displayed for not less than 30 seconds.
  - c. Messages may not scroll, move or flash.
  - d. Text should be amber in color. Red text is prohibited.
  - e. The use of LCD panels is prohibited.
  - a. Messages and non-text images shall not change appearance more than once every 10 seconds, and transitions between messages shall be via instantaneous change.
  - Use of electronic message unit signs for images, text, or lighting that change appearance in a manner not permitted above shall be considered prohibited flashing or animated signs.
  - c. No scrolling messages are permitted.

### **SECTION 2**:

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction,

such invalidity or unconstitutionality shall not affect the pr	rovisions or application of this Ordinance which
can be given effect without the invalid or unconstitutional	provision or application.

### **SECTION 3**:

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

### **SECTION 4:**

This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

	VILLAGE BOARD, VILLAGE OF WESTON
	By: Loren White, Village President
ATTEST:	
Sherry Weinkauf, Village Clerk	_
ADOPTED:	
PUBLISHED:	

### VILLAGE OF WESTON VILLAGE BOARD REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	An Ordinance repealing Section 94.200 of the Zoning Code Relating To "OFP Floodplain overlay district" and amending and recreating a new Section 94.200 of the Zoning Code named "OFP Floodplain overlay district."
ENERGOV#	N/A
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning & Development with assistance by Jared Wehner - Planning and Development
REPORT DATE:	April 17, 2014
VILLAGE BOARD MEETING DATE:	April 21, 2014
STAFF AND PLAN COMMISSION RE	COMMENDATON: Recommendation to Approve. Ordinance will be published following DNR and FEMA approvals.
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	

#### BACKROUND INFORMATION:

The Department of Natural Resources has updated their model Floodplain Overlay ordinance to include stronger language and remove the 0.1 foot increase to any increase in the flood elevation. It also increases the restrictions of rehabilitation of nonconforming structures and flood proofing of those structures, requires hydraulic and hydrologic studies and requirements for each district.

The ordinance is required to also be approved by the WIDNR and FEMA. Staff has supplied this draft ordinance to them for their final approvals. We are required to provide our Floodplain Ordinance to Mark Roffers, the hired Village Planning Consultant, as part of the Zoning Code Update Project. We felt it was best to update the ordinance so it met the new DNR Model Ordinance at this time.

The Plan Commission held a public hearing on April 14, 2014. No opposition was voiced at the hearing. The Plan Commission recommends approval of the ordinance with a vote of 6-0. Staff concurs. Staff will wait to publish the new ordinance until we receive verification from the DNR and FEMA on its approvals.



Proposal:

An Ordinance repealing Section 94.200 Of The Zoning Code Relating To "OFP Floodplain overlay district" and amending and recreating a new Section 94.200 of the Zoning Code named "OFP Floodplain overlay district."

Proposed By:

**Jared Wehner – Department of Planning and Development** 

Prior Consideration:

The Department of Natural Resources has updated their model Floodplain Overlay ordinance to include stronger language and remove the 0.1 foot increase to any increase in the flood elevation. It also increases the restrictions of rehabilitation of nonconforming structures and flood proofing of those structures, requires hydraulic and hydrologic studies and requirements for each district.

The Plan Commission held a public hearing on this ordinance amendment on 4/14/14. No one spoke in opposition. The DNR and FEMA still need to approve the ordinance prior to publication.

Staff Recommendation:

Recommendation to approve.

Plan Commission Recommendation:

The Plan Commission recommends approval of the ordinance amendment 6-0.

# VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AN ORDINANCE REPEALING SECTION 94.200 OF THE ZONING CODE RELATING TO "OFP FLOODPLAIN OVERLAY DISTRICT" AND AMENDING AND RECREATING A NEW SECTION 94.200 OF THE ZONING CODE NAMED "OFP FLOODPLAIN OVERLAY DISTRICT."

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Section 94.200 of the Village Of Weston Ordinances entitled *OFP Floodplain overlay district* is hereby repealed, amended and recreated to provide as follows:

## Sec. 94.200. OFP Floodplain overlay district.

- (a) Statutory authorization, finding of fact, statement of purpose, title and general provisions.
- (1) *Statutory authorization*. This ordinance is adopted pursuant to the authorization in ss. 61.35 and 62.23, for villages and cities; and the requirements in s. 87.30, Stats.
- (2) Finding of fact. Uncontrolled development and use of the floodplains and rivers of this

municipality would impair the public health, safety, convenience, general welfare and tax base.

- (3) Statement of purpose. This ordinance is intended to regulate floodplain development to:
  - a. Protect life, health and property;
  - b. Minimize expenditures of public funds for flood control projects;
  - c. Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
  - d. Minimize business interruptions and other economic disruptions;
  - e. Minimize damage to public facilities in the floodplain;
  - f. Minimize the occurrence of future flood blight areas in the floodplain;
  - g. Discourage the victimization of unwary land and homebuyers;
  - h. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
  - i. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
- (4) *Title*. This ordinance shall be known as the Floodplain Zoning Ordinance for the Village of Weston, Wisconsin.
- (5) General Provisions.
  - a. Areas to be regulated. This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.
  - b. Official maps and revisions. The boundaries of all floodplain districts are designated as A, AE, AH, AO or A130 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until

approved by the DNR. These maps and revisions are on file in the office of the zoning administrator, Village of Weston. If more than one map or revision is referenced, the most restrictive information shall apply.

1. *Official Maps*. Based on the FIS:

Flood Insurance Rate Map (FIRM), panel numbers 55073C0411F, 55073C0412F, 55073C0413F, 55073C0416F, 55073C0417F, 55073C0418F, 55073C0419F, 55073C0438F, 55073C0652F, 55073C0660F, 55073C0700F of 1000, community panel number 550323, dated July 22, 2010; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated July 22, 2010, Volume number 55073CV000A

Approved by: The DNR and FEMA

- 2. Official Maps. Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.
- c. Establishment of Floodplain Zoning districts. The regional floodplain areas are divided into three districts as follows:
  - 1. The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
  - 2. The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
  - 3. The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.
- d. Locating floodplain boundaries. Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in paragraphs 1. or 2. below. If a significant difference exists, the map shall be amended according to s. (h). The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map

amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. (g)(3)c. and the criteria in 1. and 2. below. Where the flood profiles are based on established base flood elevations from FIRM, FIMA must approve any map amendment or revision pursuant to s. (h) Amendments.

- 1. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- 2. Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.
- e. Removal of lands from floodplain. Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. (h).
- f. *Compliance*. Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.
- g. *Municipalities and state agencies regulated*. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.
- h. *Abrogation and greater restrictions.* 
  - 1. This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 61.35 for villages; or s. 87.30, Stats., which relate to floodplains. If another ordinance is more restrictive than this ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
  - 2. This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.
- i. *Interpretation*. In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

- j. Warning and disclaimer of liability. The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.
- k. *Severability*. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- 1. Annexed areas for cities and villages. The Marathon County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CRF 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the Village's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the location of the floodway.
- (b) General standards applicable to all floodplain districts. The Village shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding. Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. (g)(1)(b). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.
  - (1) Hydraulic and hydrologic analyses.
    - a. Except as allowed in par. c. below, no floodplain development shall:
      - 1. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, increasing regional flood height; or

- 2. Cause any Increase in the regional flood height due to floodplain storage area lost,
- b. The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood heights, based on the officially adopted FIRM or other adopted map, unless the provisions of S. (h) Amendments are met.
- (2) Watercourse alterations. No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices and required the applicant to secure all necessary state and federal permits. The standards of s. (b)(2) must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation, and pursuant to s.(h) Amendments, the Village shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

- (3) Chapter 30, 31, Wis. Stats., Development. Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodway lines, water surface profiles, BFE's established in the FIS, or other data from the officially adopted FIRM, or other floodplain zoning maps or the floodplain zoning ordinance are made according to s. (h) Amendments.
- (4) *Public or private campgrounds*. Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:
  - a. The campground is approved by the Department of Health Services.
  - b. A land use permit for the campground is issued by the zoning administrator.
  - c. The character of the river system and the elevation of the campground is such that a 72-hour warning of an impending flood can be given to all campground occupants.

- d. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.
- e. This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated by the officials identified in sub. d. to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations.
- f. Only camping units that are fully licensed, if required, and ready for highway use are allowed.
- g. The camping units shallnot occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours.
- h. All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.
- i. The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.
- j. All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. (c) s. (d) or s. (e) for the floodplain district in which the structure is located.
- k. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.
- 1. All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.
- (c) Floodway district (FW).

- (1) Applicability. This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. (e)(4).
- (2) *Permitted uses.* The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district, if
  - they are not prohibited by any other ordinance;
  - they meet the standards in s. (c)(3) and (c)(4); and
  - All permits or certificates have been issued according to (g)(1).
  - a. Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
  - b. Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - c. Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. (c)(3)d.
  - d. Uses or structures accessory to open space uses, or classified as historic structures that comply with ss. (c)(3) and (c)(4).
  - e. Extraction of sand, gravel or other materials that comply with s. (c)(3)d.
  - f. Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
  - g. Public utilities, streets and bridges that comply with s. (c)(3)c.
- (3) Standards for developments in floodway areas.
  - a. General.
    - 1. Any development in floodway areas shall comply with s. (b) and have a low flood damage potential.
    - 2. Applicants shall provide the following data to determine the effects of the proposal according to s. (b)(1):
      - i. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
      - ii. An analysis calculating the effects of this proposal on regional flood height.

- 3. The zoning administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for par. 2. above.
- b. *Structures*. Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
  - 1. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage.
  - 2. Shall have a minimum of two openings on different walls having a total net area not less than one quare inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit automatic entery and exit of floodwaters.
  - 3. Must be anchored to resist flotation, collapse, and lateral movement;
  - 4. Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
  - 5. It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
- c. *Public utilities, streets and bridges*. Public utilities, streets and bridges may be allowed by permit, if:
  - 1. Adequate floodproofing measures are provided to the flood protection elevation; and
  - 2. Construction meets the development standards of s. (b)(1).
- d. *Fill or deposition of materials*. Fills or deposition of materials may be allowed by permit, if:
  - 1. The requirements of s. (b)(1) are met;
  - 2. No material is deposited in the navigable channel unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met;
  - 3. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and

- 4. The fill is not classified as a solid or hazardous material.
- (4) *Prohibited uses.* All uses not listed as permitted uses in s. (c)(2) are prohibited, including the following uses:
  - a. Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
  - b. Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
  - c. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
  - d. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch.SPS 383, Wis. Adm. Code;
  - e. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
  - f. Any solid or hazardous waste disposal sites;
  - g. Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code;
  - h. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.
- (d) *Floodfringe district (FF)*.
  - (1) Applicability. This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. (e)(4).
  - (2) Permitted uses. Any structure, land use, or development is allowed in the floodfringe district if the standards in s. (d)(3) are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. (g)(1) have been issued.
  - (3) Standards for development in the floodfringe. S. (b)(1) shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. (f) Nonconforming Uses;
    - a. *Residential uses*. Any habitable structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe

area, shall meet or exceed the following standards;

- 1. The elevation of the lowest floor, excluding the basement or crawlway, shall be at or above the flood protection elevation on fill unless the requirements of s. (d)(3) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.
- 2. The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- 3. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in par. 4.
- 4. In developments where existing street or sewer line elevations make compliance with par. 3. impractical, the municipality may permit new development and substantial improvements where access roads are at or below the regional flood elevation, if:
  - i. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  - ii. The municipality has a DNR-approved emergency evacuation plan.
- b. Accessory structures or uses.
  - 1. Accessory structures shall be constructed with its lowest floor at or above the regional flood elevation.
- c. Commercial uses. Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of s. (d)(3)a. Subject to the requirements of s. (d)(3)e., storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- d. *Manufacturing and industrial uses*. Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s. (g)(5). Subject to the requirements of s.(d)(3)e, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

- e. Storage of materials. Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. (g)(5). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- f. *Public utilities, streets and bridges*. All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and
  - 1. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. (g)(5);
- g. Sewage systems. All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. (g)(5)(c), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis Adm. Code.
- h. Wells. All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. (g)(5)(c), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.
- i. *Solid waste disposal sites*. Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- j. *Deposition of materials*. Any deposited material must meet all the provisions of this ordinance.
- k. Manufactured homes.
  - 1. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
  - 2. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
    - i. have the lowest floor elevated to the flood protection elevation; and
    - ii. be anchored so they do not float, collapse or move laterally during a flood.

- 3. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. (d)(3)a.
- 1. Mobile recreational vehicles. All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. (d)(3)k.2. and 3. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- (e) General floodplain district (GFP).
  - (1) Applicability. The provisions for this district shall apply to all floodplains mapped as A, AO or AH Zones.
  - (2) *Permitted uses.* Pursuant to s. (e)(4), it shall be determined whether the proposed use is located within a floodway or floodfringe area.
    - Those uses permitted in floodway (s. (c)(2)) and floodfringe areas (s. (d)(2)) are allowed within the general floodplain district, according to the standards of s. (e)(3), provided that all permits or certificates required under s. (g)(1) have been issued.
  - (3) Standards for development in the general floodplain district. S. (c) applies to floodway areas, s. (d) applies to floodfringe areas. The rest of this ordinance applies to either district.
    - a. In AO/AH Zones the structure's lowest floor must meet one of the following conditions, whichever is greater:
      - 1. at or above the flood protection elevation; or
      - 2. two (2) feet above the highest adjacent grade around the structure; or
      - 3. The depth as shown on the FIRM
    - b. In AO/AH Zones, provide plans showing adequate drainage paths to guide floodwaters around structures.
  - (4) Determining floodway and floodfringe limits. Upon receiving an application for development within the general floodplain district, the zoning administrator shall:
    - a. Require the applicant to submit two copies of an aerial photograph or a

plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

- b. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
  - 1. A hydrologic and Hydraulic Study as specified in s. (g)(1)b(iii).
  - 2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
  - 3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.
- (f) *Nonconfoming uses.* 
  - (1) General.
    - a. Applicability. If these standards conform with s. 59.69(10), Stats., for counties or s. 62.23(7)(h), Stats., for cities and villages, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.
    - b. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:
      - 1. No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Ordinary maintenance repairs are not considered an extension, modification or addition; these include painting,

decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- 2. If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- 3. The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- 4. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. (d)(3)a. The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- 5. No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowedunless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. (d)(3)a.
- 6. If on a per event basis the total value of the work being done under 4 and 5 equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming

use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. (d)(3)a.

- 7. Except as provided in subd. 8., if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- 8. For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

### a. Residential Structures

- i. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls.
   Perimeter walls must meet the requirements of s. (g)(5)b.
- ii. Shall be anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- iii. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- iv. In A Zones, obtain, review and utilize any flood data available from a federal, state or other sources.
- v. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in (e)(3)a

vi. AO Zones shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

#### b. Nonresidential Structures

- i. Shall meet the requirements of s. (f)(1)(b)(8)a i-ii and v-vii.
- ii. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. (g)(5)a or b.
- iii. In AO Zones with no elevations specified, shall have the lowest floor including basement, meet the standard in s. (e)(3)a.
- 9. A nonconforming historic structure may be altered if the alteration will not preclude the structures continued designation as a historic structure, the alteration will comply with (c)(3)a., flood resistant materials are used, and construction practices and floodproofing methods that comply with (g)(5) are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. (f)(1)(b)(8)a if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

### (2) Floodway District.

- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a floodway district, unless such modification or addition:
  - 1. Has been granted a permit or variance which meets all ordinance requirements;
  - 2. Meets the requirements of s. (f)(1);
  - 3. Shall not increase the obstruction to flood flows or regional flood height;
  - 4. Any addition to the existing structure shall be floodproofed, pursuant to s. (g)(5), by means other than the use of fill, to the flood protection elevation;

- 5. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
  - i. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
  - ii. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials.
  - iii. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
  - iv. The use must be limited to parking or limited storage.
- b. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances and ch. SPS 383, Wis. Adm. Code.
- c. No new well or modification to an existing well used to obtain potable water shall be allowed in a floodway district. Any replacement, repair or maintenance of an existing well in a floodway area shall meet the applicable requirements of all municipal ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.

## (3) Floodfringe district.

- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. (d)(3), except where s. (f)(3)b. is applicable.
- b. Where compliance with the provisions of par. a. would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Zoning Appeals, using the procedures established in s. (g)(3), may grant a variance from those provisions of par. a. for modifications or additions, using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation

## may be permitted if:

- 1. No floor is allowed below the regional flood elevation for residential or commercial structures;
- 2. Human lives are not endangered;
- 3. Public facilities, such as water or sewer, shall not be installed;
- 4. Flood depths will not exceed two feet;
- 5. Flood velocities will not exceed two feet per second; and
- 6. The structure will not be used for storage of materials as described in s. (d)(3)e.
- c. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.
- d. All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance and ch. NR 811 and NR 812, Wis. Adm. Code.
- (g) Administration. Where a zoning administrator, Plan Commission or a board of zoning appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.
  - (1) Zoning Administrator.
    - a. *Duties and Powers*. The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:
      - 1. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
      - 2. Issue permits and inspect properties for compliance with provisions of this ordinance, and issue certificates of compliance where appropriate.

- 3. Inspect and assess all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.
- 4. Keep records of all official actions such as:
  - i. All permits issued, inspections made, and work approved;
  - ii. Documentation of certified lowest floor and regional flood elevations;
  - iii. Floodproofing Certificates.
  - iv. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  - v. All substantial damage assessment reports for floodplain structures.
- 5. Submit copies of the following items to the Department Regional office:
  - i. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
  - ii. Copies of any case-by-case analyses, and any other information required by the Department including an annual summary of the number and types of floodplain zoning actions taken.
  - iii. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- 6. Investigate, prepare reports, and report violations of this ordinance to the municipal Plan Commission, Village Board and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- 7. Submit copies of text and map amendments and biennial reports to the FEMA Regional office.
- b. Land use permit. A land use permit shall be obtained before any new

development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

- 1. General information.
  - i. Name and address of the applicant, property owner and contractor;
  - ii. Legal description, proposed use, and whether it is new construction or a modification;
- 2. Site development plan. A site plan drawn to scale shall be submitted with the permit application form and shall contain:
  - *i.* Location, dimensions, area and elevation of the lot:
  - *ii.* Location of the ordinary highwater mark of any abutting navigable waterways;
  - *iii.* Location of any structures with distances measured from the lot lines and street center lines;
  - *iv.* Location of any existing or proposed on-site sewage systems or private water supply systems;
  - v. Location and elevation of existing or future access roads;
  - vi. Location of floodplain and floodway limits as determined from the official floodplain zoning map(s);
  - vii. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
  - viii. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. (c) or (d) are met; and
    - *ix.* Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood

height or discharge according to s. (b)(1). This may include any of the information noted in s. (c)(3)a.

3. Hydraulic and Hydrologic studies to analyze development. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

## a. Zone A floodplains

- i. *Hydrology*. The appropriate method shall be based on the standards in ch NR116.07(3), Wis Admin Code, *Hydrological Analysis: Determination of Regional Flood Discharge*.
- ii. *Hydraulic modeling*. The regional flood elevation shall be based on the standards in ch NR 116.07(4), Wis Admin. Code, *Hydraulic Analysis:*Determination of Regional Flood Elevation and the following:
  - 1. Determination of the required limits of the hydraulic model shall be based on the detailed study information for downstream structures (dam, bridge, and culvert) to determine adequate starting WSEL for the study.
  - 2. channel sections must be surveyed
  - Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
  - 4. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
  - 5. The most current version of HEC\_RAS shall be used.
  - 6. A survey bridge and culvert openings and the top of road is required at each structure.

- 7. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- 8. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historiacal data is available, adequate justification shall provide for any parameters outside standard accepted engineering practices.
- 9. The model must extend past the upstream limit of the difference in the existing and proposed flood profiled in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- iii. *Mapping*. A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
  - 1. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
  - 2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

## b. Zone AE Floodplains

- i. *Hydrology*. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
- ii. *Hydraulic Model*. The regional flood elevation shall be based on the standards in ch. HR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
  - 1. Duplicated Effective Model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
  - 2. Corrected Effective Model .The Corrected Effective Model shall not include any manmade physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for department review.
  - 3. Existing (Pre-Project Conditions) Model.
    The existing model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post –Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
  - 4. Revised (Post-Project Conditions) Model.
    The Revised (Post-Project Conditions)
    Model shall incorporate the Existing Model
    and any proposed changes to the topography
    caused by the proposed development. This
    model shall reflect proposed conditions.
  - 5. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

- 6. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
- iii. *Mapping*. Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
  - Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans and bridge plans.
  - Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
  - 3. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
  - 4. If an annotated FIRM and/or FBFM and digital mapping (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plan Coordinate System in accordance with FEMA mapping specifications.
  - 5. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
  - 6. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

- 7. Both the current and proposed floodway shall be shown on the map.
- 8. The stream centerline, or profile baseline used to measure stream distance in the model shall be visible on the map.
- 4. *Expiration*. All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.
- c. *Certificate of Compliance*. No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
  - 1. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
  - 2. Application for such certificate shall be concurrent with the application for a permit;
  - 3. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
  - 4. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. (g)(5) are met.
- d. *Other Permits*. Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.
- (2) Plan Commission.
  - a. The Plan Commission shall:

- 1. oversee the functions of the office of the zoning administrator; and
- 2. review and advise the Village Board on all proposed amendments to this ordinance, maps and text.

#### b. This Plan Commission shall not

- 1. grant variances to the terms of the ordinance in place of action by the Board of Zoning Appeals; or
- 2. amend the text or zoning maps in place of official action by the Village Board.
- (3) Zoning Board of Appeals (ZBA). The Zoning Board of Appeals (ZBA), created under s. 62.23(7)(e), Stats., for villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The ZBA shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator may not be the secretary of the ZBA.
  - a. *Powers and duties.* The ZBA shall:
    - 1. Appeals Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance.
    - 2. Boundary Disputes Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map.
    - 3. Variances Hear and decide, upon appeal, variances from the ordinance standards.

### b. Appeals to the ZBA.

- 1. Appeals to the ZBA may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the ZBA, by filing with the official whose decision is in question, and with the ZBA, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the ZBA all records regarding the matter appealed.
- 2. *Notice and hearing for appeals including variances.*

- i. Notice The ZBA shall:
  - 1. Fix a reasonable time for the hearing;
  - 2. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
  - 3. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.
- ii. Hearing Any party may appear in person or by agent. The ZBA shall:
  - 1. Resolve boundary disputes according to s. (g)(3)c.
  - 2. Decide variance applications according to s. (g)(3)d.
  - 3. Decide appeals of permit denials according to s. (g)(4).
- 3. *Decision.* The final decision regarding the appeal or variance application shall:
  - i. Be made within a reasonable time;
  - ii. Be sent to the Department Regional office within 10 days of the decision;
  - iii. Be a written determination signed by the chairman or secretary of the ZBA;
  - iv. State the specific facts which are the basis for the ZBA's decision;
  - v. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application;
  - vi. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the ZBA

## proceedings.

- c. *Boundary disputes*. The following procedure shall be used by the ZBA in hearing disputes concerning floodplain district boundaries:
  - If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined.
  - 2. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the ZBA.
  - 3. If the boundary is incorrectly mapped, the ZBA should inform the Plan Commission or the person contesting the boundary location to petition the governing body for a map amendment according to s. (h).

## d. Variance.

- 1. The ZBA may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
  - i. Literal enforcement of the ordinance provisions will cause unnecessary hardship;
  - ii. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
  - iii. The variance is not contrary to the public interest; and
  - iv. The variance is consistent with the purpose of this ordinance in s. (a)(3).
- 2. In addition to the criteria in par. 1., to qualify for a variance under FEMA regulations, the following criteria must be met:
  - i. The variance may not cause any increase in the regional flood elevation;
  - ii. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures

#### constructed below the RFE;

iii. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

### 3. A variance shall not:

- i. Grant, extend or increase any use prohibited in the zoning district.
- ii. Be granted for a hardship based solely on an economic gain or loss.
- iii. Be granted for a hardship which is self-created.
- iv. Damage the rights or property values of other persons in the area.
- v. Allow actions without the amendments to this ordinance or map(s) required in s. (h)(1).
- vi. Allow any alteration of a historic structure, including its use, which would preclude its continued designation as a historic structure.
- 4. When a floodplain variance is granted the ZBA shall notify the applicant in writing that it may increase risk to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.
- (4) To review appeals of permit denials.
  - a. The Plan Commission (s. (g)(2)) or ZBA shall review all data related to the appeal. This may include:
    - 1. Permit application data listed in s. (g)(1)b.
    - 2. Floodway/floodfringe determination data in s. (e)(4).
    - 3. Data listed in s. (c)(3)a.2. where the applicant has not submitted this information to the zoning administrator.

- 4. Other data submitted with the application, or submitted to the ZBA with the appeal.
- b. For appeals of all denied permits the ZBA shall:
  - 1. Follow the procedures of s. (g)(3);
  - 2. Consider zoning agency recommendations; and
  - 3. Either uphold the denial or grant the appeal.
- c. For appeals concerning increases in regional flood elevation the Board shall:
  - 1. Uphold the denial where the ZBA agrees with the data showing an increase in flood elevation. Increases equal to or greater than 0.01 foot may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s (h) amendments; and.
  - 2. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase equal to or greater than 0.01 foot provided no other reasons for denial exist.
- (5) Floodproofing standards for nonconforming structures or uses.
  - a. No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
  - b. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
    - *i*. Certified by a registered professional engineer or architect; or
    - ii. Meets or exceeds the following standards:
      - 1. A minimum of two openings having a total net area of not less than one square inch for every square foot on enclosed area subject to flooding;
      - 2. The bottom of all openings shall be no higher than one foot above grade; and
      - 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of

#### floodwaters.

- c. Floodproofing measures shall be designed, as appropriate to:
  - 1. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - 2. Protect structures to the flood protection elevation;
  - 3. Anchor structures to foundations to resist flotation and lateral movement; and
  - 4. Minimize or eliminate infiltration of flood waters.
  - 5. Minimize or eliminate discharge into flood waters.
- (6) *Public information.* 
  - a. Place marks on structures to show the depth of inundation during the regional flood.
  - b. All maps, engineering data and regulations shall be available and widely distributed.
  - c. All real estate transfers should show what floodplain zoning district any real property is in.
- (h) Amendments. Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. (h)(1).
  - i. In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. (h)(1). Any such alterations must be reviewed and approved by FEMA and the DNR.
  - ii. In A Zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. (h)(1).
    - (1) General. The Village Board shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. (h)(2) below.

Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- a. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- b. Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- c. Any changes to any other officially adopted floodplain maps listed in (a)(5)2b;
- d. Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.
- e. Correction of discrepancies between the water surface profiles and floodplain zoning maps.
- f. Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the Village.
- g. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.
- (2) *Procedures*. Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities and villages. Petitions shall include all necessary data required by ss. (e)(4) and (g)(1)b. The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.
  - a. The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages.
  - b. No amendments shall become effective until reviewed and approved by the Department.
  - c. All persons petitioning for a map amendment that obstructs flow causing

any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

- (i) Enforcement and penalties. Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$50 and not more than \$500, together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the Village, the state, or any citizen thereof pursuant to s. 87.30, Stats.
- (j) *Definitions*. Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.
  - (1) "A ZONES" Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
  - (2) "AH ZONE" see "AREA OF SHALLOW FLOODING"
  - (3) "AO ZONE" see "AREA OF SHALLOW FLOODING"
  - (4) "ACCESSORY STRUCTURE OR USE" A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
  - (5) "ALTERATION" An enhancement, upgrading or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilation, air conditioning and other systems within a structure.
  - (6) "AREA OF SHALLOW FLOODING" A designated AO, AH, AR/AH or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where the velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
  - (7) "BASE FLOOD" Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

- (8) "BASEMENT" Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
- (9) "BUILDING" See STRUCTURE.
- (10) "BULKHEAD LINE" A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
- (11) "CAMPGROUND" Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
- (12) "CAMPING UNIT" Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, tent or other mobile recreational vehicle that is fully licensed, if required, and ready for highway use.
- (13) "CERTIFICATE OF COMPLIANCE" A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
- (14) "CHANNEL" A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
- (15) "CRAWLWAYS" OR "CRAWL SPACE" An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
- (16) "DECK" An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.
- (17) "DEPARTMENT" The Wisconsin Department of Natural Resources.
- (18) "DEVELOPMENT" Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
- (19) "DRYLAND ACCESS" A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and

- wide enough for wheeled rescue and relief vehicles.
- (20) "ENCROACHMENT" Any fill, structure, equipment, building, use or development in the floodway.
- (21) "FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)" The federal agency that administers the National Flood Insurance Program.
- (22) "FLOOD INSURANCE RATE MAP" (FIRM) A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
- (23) "FLOOD" or "FLOODING" A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
  - a. The overflow or rise of inland waters,
  - b. The rapid accumulation or runoff of surface waters from any source,
  - c. The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior, or
  - d. The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
- "FLOOD FREQUENCY" The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
- (25) "FLOODFRINGE" That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
- (26) "FLOOD HAZARD BOUNDARY MAP" A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study (FIS) and a Flood Insurance Rate Map (FIRM).
- (27) "FLOOD INSURANCE STUDY" (FIS) A technical engineering examination,

evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps (FIRM), that accompany the Flood Insurance Study (FIS), form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program (NFIP).

- (28) "FLOODPLAIN" Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.
- (29) "FLOODPLAIN ISLAND" A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
- (30) "FLOODPLAIN MANAGEMENT" Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
- (31) "FLOOD PROFILE" A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
- (32) "FLOODPROOFING" Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
- (33) "FLOOD PROTECTION ELEVATION" An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)
- (34) "FLOOD STORAGE" Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
- (35) "FLOODWAY" The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
- (36) "FREEBOARD" A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
- (37) "HABITABLE STRUCTURE" Any structure or portion thereof used or designed for human habitation.
- (38) "HEARING NOTICE" Publication or posting meeting the requirements of Ch.

985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

- (39) "HIGH FLOOD DAMAGE POTENTIAL" Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
- (40) "HIGHEST ADJACENT GRADE" The highest natural elevation of the ground surface prior to construction next to the proposed wall of a structure.
- (41) "HISTORIC STRUCTURE" Any structure that is either:
  - a. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register,
  - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district,
  - c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior, or
  - d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
- (42) "INCREASE IN REGIONAL FLOOD HEIGHT" A calculated upward rise in the regional flood elevation, equal to or greater than 0.01 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
- (43) "LAND USE" Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
- (44) "LOWEST ADJACENT GRADE" Elevation of the lowest ground surface that touches any of the exterior walls of a building.
- (45) "LOWEST FLOOR" The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable soley for parking

- vehicles, building access provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
- (46) "MAINTENANCE" The act or process of restoring to original soundness, including redecorating, refinishing, non-structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.
- (47) "MANUFACTURED HOME" A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
- (48) "MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION" A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
- (49) "MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING"

   A parcel of land divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.
- (50) "MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING" The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring if concrete pads.
- (51) "MOBILE RECREATIONAL VEHICLE" A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
- (52) "MODEL, CORRECTED EFFECTIVE" A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
- (53) "MODEL, DUPLICATE EFFECTIVE" A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

- (54) "MODEL, EFFECTIVE" The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
- (55) "MODEL, EXISTING (PRE-PROJECT)" A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model, but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
- (56) "MODEL, REVISED (POST-PROJECT) A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-projected conditions.
  - (57) "MUNICIPALITY" or "MUNICIPAL" The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.
  - (58) "NAVD" or "NORTH AMERICAN VERTICAL DATUM" Elevations referenced to mean sea level datum, 1988 adjustment.
  - (59) "NGVD" or "NATIONAL GEODETIC VERTICAL DATUM" Elevations referenced to mean sea level datum, 1929 adjustment.
  - (60) "NEW CONSTRUCTION" For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.
  - (61) "NONCONFORMING STRUCTURE" An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
  - (62) "NONCONFORMING USE" An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
  - (63) "OBSTRUCTION TO FLOW" Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
  - (64) "OFFICIAL FLOODPLAIN ZONING MAP" That map, adopted and made part

- of this ordinance, as described in s. (a)(5)b., which has been approved by the Department and FEMA.
- (65) "OPEN SPACE USE" Those uses having a relatively low flood damage potential and not involving structures.
- (66) "ORDINARY HIGHWATER MARK" The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
- (67) "PERSON" An individual, or group of individuals, corporation, partnership, association, municipality or state agency.
- (68) "PRIVATE SEWAGE SYSTEM" A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
- (69) "PUBLIC UTILITIES" Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
- (70) "REASONABLY SAFE FROM FLOODING" Means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
- (71) "REGIONAL FLOOD" A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
- (72) "START OF CONSTRUCTION" The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that

alteration affects the external dimensions of the building.

- (73) "STRUCTURE" Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
- (74) "SUBDIVISION" Has the meaning given in s. 236.02(12), Wis. Stats.
- (75) "SUBSTANTIAL DAMAGE" Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
- "SUBSTANTIAL IMPROVEMENT" Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement regardless of a building required to correct existing health, sanitary or safety code violations identified by the building inspector and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
- (77) "UNNECESSARY HARDSHIP" Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
- (78) "VARIANCE" An authorization by the Zoning Board of Appeals (ZBA) for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
- (79) "VIOLATION" The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
- (80) "WATERSHED" The entire region contributing runoff or surface water to a watercourse or body of water.
- (81) "WATER SURFACE PROFILE" A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

(82) "WELL" - means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

#### **SECTION 2:**

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

#### **SECTION 3:**

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

#### **SECTION 4:**

This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

	VILLAGE BOARD, VILLAGE OF WESTON
	By: Loren White, Village President
ATTEST:	
Sherry Weinkauf, Village Clerk	
ADOPTED:	
APPROVED BY THE WIDNR:	
APPROVED BY FEMA:	
PUBLISHED:	

### VILLAGE OF WESTON REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	2014 Recyc	2014 Recycling Grant Award											
REQUEST PREPARED BY:		ggins, Director of Planning & ker, Administrative Speciali	-										
REPORT DATE:	Thursday, A	April 17, 2014											
MEETING/MEETING DATE	: Village Boa	ard Meeting (04/21/2014)											
LEGISLATIVE ACTION:	Ordina		rtion nowledge										
STAFF RECOMMENDATIO		dation for the Board of Trus cling Grant Award in the am	-										
ADMINISTRATOR'S COMM No additional com See attached com	ments:	: This report was prepared at my reques											
FISCAL SUMMARY:		STATUTORY REFERENC	E:										
Budget Line Item:	Refuse/Recycling Fund – Page 129,	Wisconsin Statue:	s. 287.24 (2), Wis. Stats										
	2014 Budget Book	Administrative Code:	NR544.10 and NR542.09(3)										
Budget Line Item: Budgeted Expenditure:	N/A \$283,300.00	Municipal Code:	Chapter 66 Solid Waste										
Budgeted Revenue:	N/A	Judicial Ruling:											

- 1. <u>Policy Question</u>: Should the Board of Trustees accept the 2014 Recycling Grant Award in the amount of \$78,664.08.
- 2. <u>Purpose</u>: The Village applies for the Basic Recycling Grant and the Recycling Consolidation Grant to help cover costs related to recycling and yard waste. Some of the particular uses of this recycling grant will go towards educational materials created and mailed out to taxpayers, will be used to offset some of the operating costs to supply the recycling service to the residents, which includes spring clean-up (bulk-item drop off on May 15<sup>th</sup>-17<sup>th</sup> at Advanced Disposal, and the yard waste pick-up, which generally takes place in early May).
- 3. <u>Issue Background</u>: The Base Recycling Grant is made eligible to Responsible Units (cities, towns, villages, counties, tribes, or solid waste management system) for residential recycling and yard waste program costs that are reasonable and necessary for planning and operating an effective recycling program.

Responsible Units who enter into an agreement with Marathon County Solid Waste Department, for the purpose of implementing efficiencies related to operating an effective recycling program are then eligible for the Recycling Consolidation Grant. The Village entered into this agreement, for calendar year 2014, with Marathon County Solid Waste Department on 08/05/2013.

Village staff filed the 2014 Recycling Grant application with the WI DNR on 09/30/2013. This grant application takes into account our projected 2014 recycling and yard waste costs, which were projected at \$281,720.00. The projections are based generally on 2013 recycling and yard waste costs.

The attached April 2, 2014, letter, from the WI DNR, explains how these grants were calculated out for each Responsible Unit.

If Responsible Units have any concerns or changes that might affect their recycling grant award, they are to notify the WI DNR by 4:30 p.m., Friday, May 2, 2014.

Grant awards will be mailed out to Responsible Units by June 1, 2014. The grant award is intended to be used for eligible expenditures directly related to the cost estimates submitted in our 2014 grant application.

As staff completes the 2013 Annual Report (which is due by April 30, 2014), and if it is determined that our actual recycling costs in 2013 were less than the 2014 award, we will be required to pay the difference.

The 2013 Recycling Grant Award was in the amount of \$78,693.00, which is slightly higher than this 2014 award. The 2013 Recycling Grant Award was based on projected 2013 recycling and yard waste costs, which were projected at \$263,117.00.

- 4. <u>Issue Analysis:</u> Staff is in agreement with the calculated award amount and recommends the Board of Trustees accept the 2014 Grant Award.
- 5. <u>Fiscal Impact:</u> This grant money will help offset actual costs the Village will incur during the calendar year 2014.
- 6. Statutory Reference: s. 287.24 (2), Wis. Stats.
- 7. <u>Prior Review:</u> 2014 Basic Recycling Grant Application, submitted on 09/30/2013; 2012 Annual Recycling Report, submitted on 04/08/2013; 2013 Basic Recycling Grant Application, submitted on 09/28/2012. \*\*The 2013 Annual Recycling Report will be submitted before or by April 30, 2014.\*\*
- 8. <u>Attachments</u>: April 2, 2014, Letter to Jennifer Higgins, from WI DNR, re: Recycling Grants to Responsible Units 2014 Award Notification
- 9. Recommendation following Staff Review: The Board of Trustees to accept the 2014 Recycling Grant Award
- 10. <u>Policy Alternatives</u>: To not accept the award, and notify the WI DNR of comments or changes.

11. Legislative Action:	To approve staff rec	ommendation to	accept the	2014 Recycling	Grant
Award, in the amou	nt of \$78.664.08.				

12. Appendices: None

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor Cathy Stepp, Secretary Telephone 608-266-2621 FAX 608-267-3579 TTY Access via relay - 711



April 2, 2014

Jennifer L Higgins Planning & Development Director Village of Weston 5500 Schofield Ave Weston, WI 54476-4333 RU# 37192

#### **SUBJECT:** Recycling Grants to Responsible Units – 2014 Award Notification

Dear Recycling Responsible Unit Contact:

The Department of Natural Resources (DNR) is pleased to offer an award of \$78664.08 to your responsible unit to offset your recycling program costs during calendar year 2014. This grant amount is composed of your Basic Recycling Grant + the newer Recycling Consolidation grant, if you applied and are eligible. Remember that the total grant amount may not exceed projected net eligible costs as stated in your 2014 grant application.

#### Calculating Your Basic Recycling Grant

Your 2014 Basic Recycling grant amount was determined as prescribed by Wisconsin Statutes:

- 1- We identify your RU percentage of total available funds from 1999, then
- 2- We apply that percentage to the total available for 2014 grants (\$19,000,000).

#### Calculating Your Recycling Consolidation Grant

Per Wisconsin Statutes, the consolidation grant awards are calculated on a per capita basis. Two hundred three Responsible Units applied for this grant by the deadline and are eligible to receive this grant. The total population of all those eligible applicants is 3,839,995. The Legislature provided \$1M for this program. So, the 2014 per capita rate is \$0.26 per person in each Responsible Unit (\$1,000,000  $\div$  by 3,839,995 population = \$0.26 per person in eligible RUs).

#### **Deadline for Comments**

You have until 4:30 p.m. on May 2, 2014 to notify DNR of any concerns or changes that might affect your grant award. If we do not hear from you by this date and time, we will conclude your grant award amount is correct.

#### **Timing of Grant Check**

Presuming no comments are received concerning grant amounts, it is our plan to mail your treasurer a single check for the entire 2014 grant amount by June 1, 2014.



#### **Accepting Grant Conditions**

By endorsing the grant check (signing on the reverse and deposition), you are accepting this award and you agree to comply with the enclosed grant conditions, the program's financial guidelines, and the assurances you made when you signed your grant application.

#### **Important Reminders**

- If you spent less than the awarded amount in 2013, you will be required to repay the difference between your awarded amount and the actual amount you spent. A separate notification about this will be sent to affected RUs in July, 2014.
- Your 2014 Recycling Grant Award is to be used for eligible expenditures directly related to the cost estimates submitted with your 2014 grant application on *Form 1—Estimated Budget Spreadsheet*.
- You will report actual 2014 recycling costs in the 2014 Annual Report of Recycling Program Accomplishments that will be due no later than April 30, 2015. This Annual Report is necessary for maintaining continuity of data collection and to determine whether or not your total net eligible recycling costs matched or exceeded your 2014 grant award.

We appreciate your efforts to recycle in Wisconsin. Should you have any questions about this or any aspect of the recycling grant program, please contact me by email at <a href="mailto:Kari.Beetham@wisconsin.gov">Kari.Beetham@wisconsin.gov</a> or by telephone number (608) 264-9207.

Sincerely,

Kari Beetham, Recycling Grant Manager Bureau of Community Financial Assistance

Attachment: 2014 Grant Conditions

Kari Beetham

## Copy of Total Time of Call by Incident Type Alarm Date Between {03/01/2014} And {03/31/2014}

Incident No.	Alarm Date	& Time	Arrival Da	ate & Time	Clear Date	e & Time	Total Time
111 Building	fire		,,,,	· , · · · · · · · · · · · · · · · · · ·			
14-0031513	03/19/2014	00:42:58	03/19/2014	01:15:1	03/19/2014	03:36:29	02:53:31
14-0036390	03/31/2014	04:27:38	03/31/2014	04:35:3	3 03/31/2014	06:38:21	02:10:43
Average Time	for Incide	nt Type 02	:32:07		Total Time for	Incident Type	a 05:04:14
131 Passenger	r vehicle fi	re					
14-0034332	03/26/2014	11:19:13	03/26/2014	11:24:34	03/26/2014	11:50:00	00:30:47
					Total Time for		
300 Rescue, E	CMS incident	, other				<i>.</i>	
					03/27/2014		00:16:00
14-0035054	03/27/2014	21:36:44	03/27/2014	21:55:37	03/27/2014	22:15:38	00:38:54
Average Time	for Incider	t Type 00:	27:27	<b>.</b>	Total Time for	Incident Type	00:54:54
D#1 14-341 -							
311 Medical a						·******	
				<i></i>	03/21/2014	· · · · · · · · · · · · · · · · · · ·	00:36:44
Average Time	for Inciden	t Type 00:	36:44		Total Time for	Incident Type	00:36:44
322 Motor veh	icle accider	nt with inj	uries				
14-0025567	03/04/2014		03/04/2014	08:56:37	03/04/2014	09:16:24	00:26:24
14-0026879	03/07/2014	12:20:00	03/07/2014	12:24:31			00:40:00
14-0030814	03/17/2014	07:43:01	03/17/2014	07:50:13	03/17/2014	08:09:46	00:26:45
14-0031823	03/19/2014	17:13:00	03/19/2014	17:19:00	03/19/2014	17:45:00	00:32:00
Average Time	for Inciden	t Type 00:	31:17		Total Time for	Incident Type	02:05:09
224 Makam Wah	:_1_ %:_		<b></b>				
324 Motor Veh: 14-0029313			77777777777	755755755	*********		
	03/13/2014		03/13/2014		03/13/2014	13:15:00	00:22:12
	<b>~ - ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~</b>					~ <b></b>	00:56:00
Average Time	ror Inciden	t Type 00:	39:06		Total Time for	Incident Type	01:18:12
424 Carbon mor	noxide incid	lent					
14-0034441	03/26/2014	16:50:42	03/26/2014	16:57:39	03/26/2014	17:14:16	00:23:34

443 Breakdown of light ballast

# Copy of Total Time of Call by Incident Type Alarm Date Between {03/01/2014} And {03/31/2014}

Incident No.	Alarm Date	e C Time	Arrival	Date & Time	Clear Dat	e & Time	Total Time
443 Breakdow	n of light b	pallast					
14-0025273	03/03/2014	14:58:00	03/03/201	4 15:05:00	03/03/201	4 15:46:00	00:48:00
Average Time	for Incide	nt Type 00	):48:00	<b></b>	Total Time fo	r Incident Ty	pe 00:48:00
500 Service (	Call, other			•			
14-0033197	03/23/2014	10:28:00	03/23/201	4 10:34:00	03/23/201	4 10:48:00	00:20:00
					Total Time fo		
522 Water or	steam leak				•		
		00:10:00	03/01/201	4 00:24:00	03/01/201	4 01.00.00	00.50.00
					Total Time fo		
531 Smoke or							
14-0027030	03/07/2014	18:46:54	03/07/201	4 18:52:56	03/07/201	1 19:26:46	00:39:52
Average Time	for Incider	nt Type 00	: 39: 52		Total Time for	r Incident Typ	oe 00:39:52
611 Dispatche	d & cancell	ed en route	a				
14-0028702	03/11/2014		= 		02/11/201		
14 0000000	02/11/001/	00 10 51				20:27;24 23:22:22	00:01:45
14-0030180	03/15/2014	13:10:21				13:11:00	
14-0030393	03/15/2014	22.26.06				22:29:35	
14-0033705	03/24/2014	19:04:26				19:11:50	
14-0035294	03/28/2014	13:21:00				13:21:00	
Average Time	· ¬ = ¬ ~ = =	- <b></b>			Total Time for		
700 False ala							
				14:57:00	03/10/2014	15:28:00	00:36:00
Average Time	for Inciden	t Type 00:	36:00		Total Time for	Incident Type	9 00:36:00
735 Alarm syst	tem sounded	due to mal	function				
				00:00:00	03/10/2014	00:28:00	00:46:00
Average Time					otal Time for		
/11 Quadul-1	nahid	54		_		· · · · · ·	
41 Sprinkler 4-0029341							
. 0023341	03/13/2014	14:1/:13	03/13/2014	14:22:49	03/13/2014	14:28:00	00:10:47

## Copy of Total Time of Call by Incident Type Alarm Date Between {03/01/2014} And {03/31/2014}

Incident No.	Alarm Date	& Time	Arrival Da	te & Time	C1	ear D	ate 8	Time		Total Ti
741 Sprinkle			unintention							
			10:47							00:10:
743 Smoke de										
14-0031365	03/18/2014	15:04:12	03/18/2014	15:10:22	03	/18/20	14 1	5:18:06		00:13:
			13:54	,						
										•
744 Detector	•									
14-0025779	03/04/2014	20:44:05	03/04/2014	20:50:33	03,	/04/20	14 2	0:55:54		00:11:
14-0028508	03/11/2014	11:46:06	03/11/2014	-11:53:24	03,	/11/20	14 1	2:07:44		00:21:
Average Time	for Inciden	it Type 00:	16:44		Total '	rime f	or I	ncident	Туре	00:33:
745 Alarm sy	stem activat:	ion, no fir	e - unintent	ional						
14-0025227	03/03/2014	12:50:38	03/03/2014	12:57:04	037	03/20	14 1	3:04:58		00:14:
Average Time	for Inciden	t Type 00:	14:20		Total '	Cime f	or I	noident	Туре	00:14:
Total Incide	nt Count:	30 Total	l Time of All	Calls:	16:30:4	2 (	)vera	Il Avg	Time:	00:33:0

#### Incident List by Alarm Time/Date

#### Alarm Date Between {03/01/2014} And {03/31/2014}

Incident-Exp#	Alm Date		Location	Incident Type
14-0024312-000	03/01/2014	00:10:00	8005 Birch ST /125/Weston	
14-0031513-000	03/19/2014	00:42:58	7704 State Highway 52	111 Building fire
14-0036390-000	03/31/2014	04:27:38	2610 Ross AVE /Weston, WI	111 Building fire
14-0030814-000	03/17/2014	07:43:01		322 Motor vehicle accident with
14-0034270-000	03/26/2014	07:44:00	Camp Phillips RD & State	324 Motor Vehicle Accident with
14-0025567-000	03/04/2014		I39 southbound at mile	322 Motor vehicle accident with
14-0032488-000	03/21/2014	10:22:24	4516 Rib Mountain DR /Rib	311 Medical assist, assist EMS
14-0033197-000	03/23/2014	10:28:00	5803 Connie LN	500 Service Call, other
14-0034332-000	03/26/2014	11:19:13	5301 Rib Mountain DR /Rib	131 Passenger vehicle fire
14-0028508-000		11:46:06	4504 Rib Mountain DR /Rib	744 Detector activation, no fire
14-0026879-000	03/07/2014	12:20:00	State Highway 29 & Camp	322 Motor vehicle accident with
14-0025227-000	03/03/2014	12:50:38	4000 Rib Mountain DR	745 Alarm system activation, no
14-0029313-000	03/13/2014	12:52:48	4403 Schofield AVE	324 Motor Vehicle Accident with
14-0030180-000	03/15/2014	13:10:21	4602 Barbican AVE /Weston	,611 Dispatched & cancelled en
14-0035294-000	03/28/2014	13:21:00	1000 Machmueller ST	611 Dispatched & cancelled en
14-0029341-000		14:17:13	4002 Schofield AVE	741 Sprinkler activation, no
14-0028170-000	03/10/2014	14:52:00	5707 Schofield AVE	700 False alarm or false call,
14-0025273-000	03/03/2014	14:58:00	4000 Rib Mountain DR	443 Breakdown of light ballast
14-0031365-000		15:04:12	4500 Rib Mountain DR	743 Smoke detector activation,
14-0034914-000	03/27/2014	16:38:00	181 State Highway 29	300 Rescue, EMS incident, other
14-0034441-000	03/26/2014	16:50:42	3401 Sumbird LANE	424 Carbon monoxide incident
14-0031823-000	03/19/2014	17:13:00	Camp Phillips RD & Weston	322 Motor vehicle accident with
14-0027030-000	03/07/2014	18:46:54	2707 Schofield AVE /TPN	531 Smoke or odor removal
14-0033705-000	03/24/2014	19:04:26		611 Dispatched & cancelled en
14-0028702-000	03/11/2014	20:25:39	4602 Barbican AVE /Weston,	611 Dispatched & cancelled en
14-0025779-000	03/04/2014	20:44:05	4602 Barbican AVE /Weston,	744 Detector activation, no fire
14-0035054-000	03/27/2014	21:36:44	Mile marker 186.0 on I-39	300 Rescue, EMS incident, other
14-0030393-000	03/15/2014		5810 Schofield AVE	611 Dispatched & cancelled en
14-0028785-000		23:10:51	785 S Old Hwy 51 HWY	611 Dispatched & cancelled en
14-0027905-000	03/09/2014		2110 Cut Off RD /Cut Off	735 Alarm system sounded due to
				7

Total Incident Count

25	24	2.3	2 2	7 7	, ,	3 5	1 6	; =	16	5 5	1 4	<u>.</u> .	; ;	<b>:</b>	: 5	ל ע	<b>5</b> 00	o	1 0	ט מ	n ↓	<b>&gt;</b> (	w	2	Н
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3/6/14	3/6/14	3/5/14	3/4/14	2/2/14	7/2/4 71/2/6	7/1/c	3/23/14	3/17/14	3/27/1/	3/31/1/	3/28/10	3/2//14	3/2//10	3/2//14	3/22/14	3/22/2	3/1/1/2	3/1//1/	3/15/1	3/12/1	7/27/1 11/4/c	2/4/0	3/1/12	3/1/14	3/6/14
Station 1	Station 1	Station 1	Station 1	Station 1	tation 1	Station 1	Station 1	Station 1	Station 1	Station 1	Station 1	Station 1	Station 1	Station 1	Station 1	t Station 1	tation 1	Station 1	tation 1	+ Station 1	+ Station 1	Charge			
140306023	140306022			140302001	140302008	140301002	RM140323022	140317082	RM140327023	140331158	140328143	140327136	140327130	140327134	RM140322020	140321102	140317076		140316069					140301004	140306021
19:38:43	19:23:00	10:21:41	8:52:00	14:05:51	13:13:28	12:25:00	18:40:00	17:15:00	14:47:00	8:24:45	13:09:00	19:22:00	10:37:00	16:55:40	9:20:00	13:16:00	11:16:00	15:56:00	11:11:39	9:48:00	4:37:00	2:41:00	7.41.00	17-43-00	15:20:00
01:47	02:00	01:48	02:00	00:37	00:26	02:00	00:00	15:00	00:00	01:41	01:00	01:00	01:00	02:58	01:21	01:00	01:00	01:48	00:58	02:00	05:00	03:00	01.00 01.00	01-00	01:00
11:17	10:00	06:12	05:00	05:30	09:03	10:00	35:00	46:00	51:00	09:15	11:00	11:00	10:00	12:20	09:29	10:00	07:00	15:49	05:37	10:00	16:00	12:00	20.00	00.00	00:00
18:57	13:00	10:08	08:00	44:30	07:28	50:00	09:00	13:00	14:00	07:00	10:00	07:00	05:00	12:00	10:27	10:00	16:00	17:00	10:19	11:00	22:00	11:00	TO:OT	10.00	00:00
	Trauma	Medical	MVA	Medical	Ski Hill	Medical	09:00 U-IFT	내	내민	Medical	Medical	Medical	<b>Medical</b>	Medical	Medical	Medical		Medical							
Rib Mountain	Rib Mountain	Rib Mountain	Rib Mountain	Rib Mountain	Rib Mountain	Rib Mountain	Merrill	Medford	Marshfield	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	Kronenwetter	1 4 6 G	Edgar
ST CLARE	ASPIRUS	ST CLARE	ASPIRUS	NO TRANS	ASPIRUS	NO TRANS	ASPIRUS	ASPIRUS	OTHER WI	ASPIRUS	ST CLARE	ST CLARE	ASPIRUS	ASPIRUS	ST CLARE	ASPIRUS	ASPIRUS	ST CLARE	ST CLARE	ASPIRUS	ASPIRUS	ASPIRUS	ST CLARE	NO TONING	NO TRANS

## Call per station **Calls Total** System Calls Incident Date (IT5.44) Station Run Number Time of Call Unit Notified - Enroute Enroute -Arrived on Scene On-scene Time Incident Type Call Area Destination

8	9 5	χ. ο 2	3 8	3 6	<u> </u>	ŝè	3 &	7 .	d &	3 2	74	73	72	71	70	69	68	67	66	65	2	63	62	61	60	59	58	57	56	Call per station
0,0	379	377	376	37c	3/3	3/2	3/1	37.	369	368	367	.366	365	364	363	362	361	360	359	358	357	356	355	354	353	352	351	350	349	Calls Total System Calls
+T /2T/C	7/17/14	3/1//14	2/77/14	3/5/14	3/3/14	3/25/14	3/21/14	3/18/14	3/30/14	3/2//14	3/25/14	3/8/14	3/4/14	3/2/14	3/2/14	3/7/14	3/31/14	3/30/14	3/30/14	3/28/14	3/27/14	3/27/14	3/26/14	3/26/14	3/25/14	3/24/14	3/24/14	3/23/14	3/22/14	Incident Date (IT5,44)
T HOUSE	T HOURS	Station 1	Station 1	Station 1	Station 1			Station 1	Station 1				Station 1		Station 1	Station 1	Station 1	Station 1		Station 1		Station 1	Station 1	Station						
140312055	140318086	140317083	KM14030/008	RM140306007	140303012	140325120	140321103	140318084	140330156	140327130	140325119	140308034	RM140304005	140302009	RM140302002	RM140307009	140331160	140330153	140330154	140328140	140327129	140327138	140326123	140326126	140325122	140324118	140324116	140323113	RM140322021	Run Number
21:04:00	12:50:00	15:59:00	4:35:00	19:40:00	22:01:00	13:04:00	9:30:00	23:07:00	19:04:00	9:24:03	6:48:00	11:01:09	17:57:47	14:20:00	20:48:16	15:50:00	17:45:33	8:27:54	11:49:21	13:47:55	3:30:06	21:01:00	4:59:40	9:16:45	22:13:00	16:53:49	10:06:15	12:18:00	14:41:06	Time of Call
04:00	00:00	00:00	00:00	00:00	35:00	00:00	02:00	01:00	02:00	05:15	02:15	01:56	02:11	02:00	00:43	00:00	01:37	00:48	00:30	01:50	03:06	03:00	04:21	01:37	01:00	02:30	01:36	01:00	00:38	Unit Notified - Enroute
11:00	10:00	09:00	10:00	05:00	12:00	16:00	00:00	06:00	07:00	01:57	10:00	07:51	18:37	08:00	08:28	00:00	01:27	01:28	03:04	05:36	04:54	04:00	06:44	04:39	08:00	06:13	05:45	06:00	07:08	Enroute - Arrived on Scene
06:00	08:00	23:00	16:00	11:13	06:00	32:00	00:00	09:00	21:00	16:00	13:00	35:00	17:13	19:00	14:39	00:00	18:00	15:37	00:00	18:39	35:00	20:00	13:53	11:46	26:00	22:57	20:00	12:00	07:41	On-scene Time
H-I-T	다	U-IFT	된	ᄪ	내	Medical	Medical	Medical	1:00 Trauma	Medical	Medical	Trauma	Medical	Medical	Trauma	S H	Medical	Trauma	SK: H:	Incident Type										
Weston	Wausau IFT	Wausau IFT	Wausau (FT	Wausau IFT	Wausau (FT	Wausau 911	T. Weston	T. Marathon	Stettin	Stettin	Stettin	Stettin	Stettin	Stettin	Stettin	ROCHESTER	Rib Mountain	Call Area												
OTHER WI	HOME	OTHER WI	Out of WI	KEN PARK	KEN PARK	NO TRANS	NO TRANS	NO TRANS	ASPIRUS	ASPIRUS	ASPIRUS	ASPIRUS	NO TRANS	ST CLARE	ASPIRUS	OTHER WI	ASPIRUS	ST CLARF	NO TRANS	STCLARE	NO TRANS	ASPIRUS	ASPIRUS	ASPIRIUS	ASPIBLIS	ASPIBLIS	ASPIRITS	NO TRANS	ASPIRUS	<b>Destination</b>

ASPIRUS	Weston	Medical	80:80	06:11		17:37:06	140303011	3/3/14 Station 2	413	20
ASPIRUS	Weston	MVA	19:00	02:00		3:41:00	140302007	3/2/14 Station 2	412	) \ \ \
ASPIRUS	Weston	Trauma	10:00	07:00		4:04:00	140302007	3/2/14 Station 2	1 1	, r
ASPIRUS	Weston	Medical	17:43	05:33		9:40:36	M140302001	3/2/14 Station 2	410	7 7
ST CLARE	Weston	Medical	12:00	03:00	01:00	20:11:00	M140302003	3/2/14 Station 2	2 6	77
ASPIRUS	Weston	Medical	14:00	04:00		20:49:00	140301005	3/1/14 Station 2	408	21
NO TRANS	Weston	Medical	00:00	05:00		0:31:29	140301001	3/1/14 Station 2	<del>2</del>	2 6
ASPIRUS	T. Weston	Trauma	09:00	07:00		13:33:00	140326128	3/26/14 Station 2	406	19
ST CLARE	T. Weston	Medical	14:00	04:00		10:30:00	140326127	3/26/14 Station 2	405	18
ST CLARE	T. Weston	Medical	33:36	05:31		11:57:39	140315062	3/15/14 Station 2	404	17
ST CLARE	T. Weston	Medical	15:34	04:35		8:13:23	140309042	3/9/14 Station 2	403	16
ST CLARE	T. Weston	Medical	15:00	03:00		11:36:00	140303010	3/3/14 Station 2	402	15
ASPIRUS	Schofield	Medical	05:27	03:50		11:59:38	M140302002	3/2/14 Station 2	401	14
ASPIRUS	Ringle	Medical	09:00	11:00		15:02:00	140331159	3/31/14 Station 2	400	13
NO TRANS	Ringle	MVA	23:00	10:00		16:39:00	140327135	3/27/14 Station 2	399	12
NO TRANS	Ringle	MVA	23:00	10:00		16:39:00	140327134	3/27/14 Station 2	398	<u>1</u>
ST CLARE	Ringle	Medical	18:00	08:00		9:27:00	140309042	3/9/14 Station 2	397	10
NO TRANS	Rib Mountain	MVA	22:00	13:00		21:38:00	140327137	3/27/14 Station 2	396	9
NO TRANS	Rib Mountain	MVA	22:00	13:00		21:38:00	140327139	3/27/14 Station 2	395	<b>∞</b>
NO TRANS	Rib Mountain	MVA	23:00	13:00		21:38:00	140327137	3/27/14 Station 2	394	7
NO TRANS	Rib Mountain	SKI HIII	00:00	06:00		18:12:00	140315066	3/15/14 Station 2	393	6
NO TRANS	Rib Mountain	Trauma	00:00	03:29		17:44:28	140308036	3/8/14 Station 2	392	Сī
ST CLARF	Kronenwetter	Medical	15:00	13:14		10:37:43	140305018	3/5/14 Station 2	391	4
ASPIRUS	Hatley	Trauma	14:00	19:37		14:17:23	140319092	3/19/14 Station 2	390	ω
ASPIRUS	Easton	Medical	14:33	14:52	5	19:53:39	M140331022	3/31/14 Station 2	389	2
NO TRANS	Easton	Medical	00:00	00:00	01:50	13:38:17	140317078	3/17/14 Station 2	388	<b>-</b> -
			•	2	Station 2	Sta				

Call per station **Calls Total** System Calls Incident Date (IT5.44) Station Run Number Time of Call **Unit Notified** - Enroute Enroute -Arrived on Scene On-scene Time Incident Туре Call Area Destination

	87	86	8 8	2 2	2 8	82	81	80	79	78	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59	<b>%</b>	57	Call per station
	474	473	472	471	470	469	468	467	466	465	463	462	461	460	459	458	457	456	455	454	453	452	451	450	449	448	447	446	445	444	Calls Total System Calls
	3/25/14	3/24/14	3/24/14	3/24/14	3/23/14	3/23/14	3/22/14	3/22/14	3/21/14	3/21/14	3/20/14	3/20/14	3/20/14	3/20/14	3/19/14	3/19/14	3/19/14	3/18/14	3/18/14	3/17/14	3/17/14	3/17/14	3/16/14	3/16/14	3/16/14	3/15/14	3/15/14	3/15/14	3/14/14	3/13/14	Incident Date (IT5.44)
	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2		Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2	Station 2		Station
	140325121	M140324017	140324115	140324117	140323114	140323112	140322111	140322110	140321104	140321109	140320101	140320098	140320097	140320100	140319093	140319094	140319090	M140318014	140318088	140317081	140317077	140317080	M140316013	140317073	140316072	140315063	140315067	140315064	140314059	140313057	Run Number
	14:46:52	11:24:00	1:53:09	19:49:07	20:37:16	10:31:52	12:55:00	12:33:00	9:00:30	18:35:00	21:59:40	11:56:00	5:46:00	16:29:00	17:13:45	17:37:00	10:07:00	9:59:03	19:16:36	17:37:00	12:19:33	16:35:00	13:26:21	23:27:00	21:40:55	15:54:34	20:06:34	14:35:26	11.27:04	12:49:19	Time of Call
	01:42	02:00	03:05	01:04	02:24	02:32	01:00	01:00	00:59	00:00	02:08	02:00	03:00	02:00	00:00	00:43	02:00	00:46	01:12	02:00	02:13	03:00	00:45	02:00	02:05	01:07	01:08	01:22	02:09	00:17	Unit Notified
	04:44	94 96 96 96	04:07	02:50	03:51	03:04	09:00	06:00	04:39	06:00	05:09	02:00	05:00	03:00	05:25	03:00	05:00	07:00	03:24	06:00	05:27	00:00	05:06	05:00	04:07	05:44	04:19	03:26	00:58	03:41	Enroute - Arrived on Scene
	10:52	09:00	14:06	19:40	17:4S	00:00	10:00	10:00	13:16	17:00	17:00	13:00	15:00	08:00	25:26	10:30	10:00	10:23	16:30	28:00	15:00	00:00	18:19	13:00	13:00	12:00	09:14	06:02	18:51	21:00	On-scene Time
	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Trauma	Medical	Medical	M M M	M M	Medical	Medical	Trauma	Medical	Trauma	Medical	Medical	Medical	Medical	Medical	Medical	Medical	Medical	MVA	Incident Type
	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Weston	Call Area
(0)	ST CLARE	NO TO ANC	ST CLARE	ST CLARE	ASPIRUS	NO TRANS	ST CLARE	ASPIRUS	ASPIRUS	ASPIRUS	STCLARE	ST CLARE	STCLARE	ST CLARF	ASDIBLIS	ST CLARE	ASPIRIIS	ASPIRIIS	NO TRANS	NO TRANS	STCLARE	NO TRANS	ASPIRING	STCIARE	ASDIBLIS	ASPIRILS	ST CLARE	ST CI ARE	ASPIRLIS	NO TRANS	Destination

Calls Per Municipality
City Runs

Greathed 9

Kronenwetter 15

Kronenwetter 15

Marshfield 1

Marshfield 1

Marshfield 0

RHINELANDER 0

Stettin 7

Tomahawk 0

Wausau 911 1

Wausau 911 1

Wausau 911 1

Facils River 1

Schofield 1

Schofield 1

Edgar 1

Englar 1

Merriil 1

Marshfield 1

Merriil 1

Mirapids 10

ST MARYS - RHINLANDER

NORTH CENTRAL HCF

ST MICHAELS

Contract of the

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0

Station 1 Calls (Rib Mountain)

EMS Call Per Station

Utility 20 Sunscheduled transfer S-IFT 2 Scheduled Transfer MED 120 WED Call Transfer STBY 0 Event Standby TRA 31 TRACalls Accident SKI 11 Ski Hill Call ERH 1 Return Home Trip

St Joe's

Other Out WI

9

Clark County Health Care

Time of Calls Per Municipality

Run Numbe

Çall Area

Destination

### VILLAGE OF WESTON VILLAGE BOARD REQUEST FOR CONSIDERATION

ITEM DESCRIPTION:	Discussion and action on Plan Commission Recommendation to approve, with conditions, the preliminary WI Baseball Academy building elevations and site layout (#CSIT-3-14-1433/ERU-3-14-1434).
ENERGOV#	CSIT-3-14-1433/ERU-3-14-1434
REQUEST PREPARED BY:	Jennifer Higgins; Director of Planning & Development
REPORT DATE:	April 17, 2014
VILLAGE BOARD MEETING DATE:	April 21, 2014
STAFF AND PLAN COMMISSION REC	COMMENDATON:
Recommendation to Approve Buildin	ng Elevations as submitted on 4/17/14.
ADMINISTRATOR COMMENTS: No additional comments: See attached comments:	

#### BACKROUND INFORMATION:

WI Baseball is looking to purchase Lot 3 of Weston Business and Technology Park – South to build a new 110′ X 117′ multi-sports facility. This is a 3.799 acre lot which is zoned LMD Light manufacturing and distribution. A conditional use permit would be required for this use in this district. The public hearing was held on the CUP by the Plan Commission on 4/14/14. No one spoke in opposition of granting the permit. The Plan Commission took action to defer the issuance of the permit until the final site plan was submitted for the project.

WI Baseball has completed a preliminary site plan. Staff has a few details to work out on the site layout with the applicant. They are nothing major and can be worked out at the final site plan submittal. They should not impact the Board's action on the Offer to Purchase.

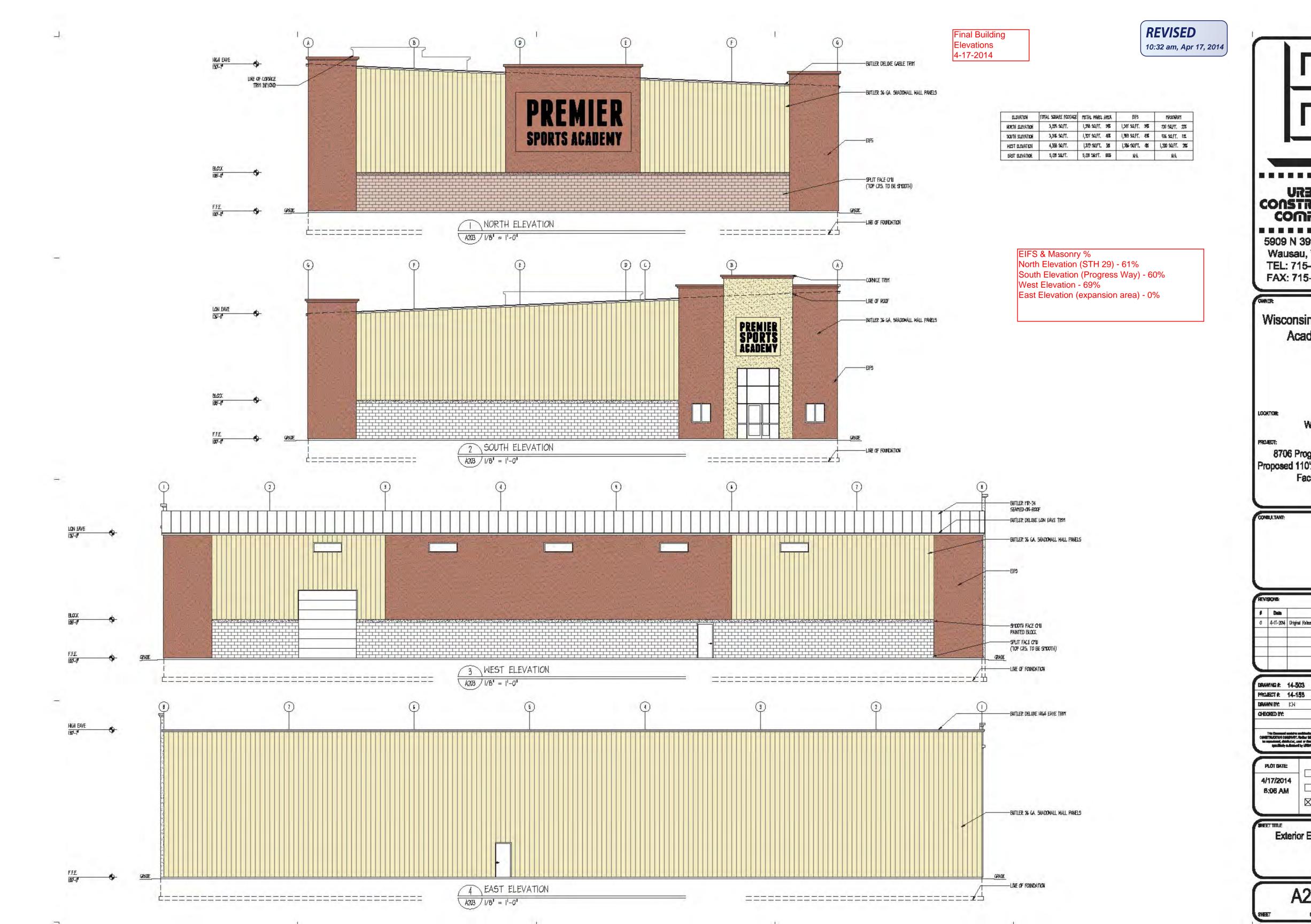
Staff has reviewed the preliminary site plan and provided a Site Plan Report to the Plan Commission. It is not included in this packet due to its size but it can be found in the Plan Commission online packet at <a href="CSIT-3-14-1433">CSIT-3-14-1433</a> / ERU-3-14-1434 Wisconsin Baseball Academy, 8706 Progress Way - Preliminary Site Plan. At the time of submittal to the Plan Commission, the building elevations did not meet the 60% brick requirement. At the Plan Commission meeting, the Plan Commission directed staff to work on a code change for an upcoming Plan Commission meeting which would count any non-metallic siding (such as EIFS) in the 60% requirement. Staff will be working on this in the coming weeks. The Plan Commission was ok with allowing the east side (expansion side) to be metal and discussed putting a 5 year sunset on the expansion or brick would be required. Staff will be working with the attorney to determine the best way to handle this requirement, if it is within the CUP or via a bond.

WI Baseball has since revised their building elevations to meet the 60% brick requirement on the north, west and south sides of the building. I have included all three versions of the

elevations for you to see the progress that has been made on the site and Mr. Greening's willingness to work with staff and the Commission. Please note that Mr. Greening has stated to staff his dislike for the look of the west face of the building in the 4/17 building and the fact that it will alone increase the price of the project by \$8,000. Staff feels that the new 4/17/14 north and south elevations look very nice and could live with the 4/14/14 elevation for the west side if the Board so chooses.

WI Baseball Academy has submitted an Offer to Purchase which you will review in closed session and negotiate based on this submitted preliminary site plan. The applicant was directed by the PC to bring the 3 elevations up to the 60% for brick and EIFS. They have done so, so staff is recommending approval of the preliminary site plan building elevations as submitted.

Once the Offer to purchase is negotiated, Village staff will begin working with WI Baseball Academy on the final site plan and the issuance of the final CUP.



..... CONSTR CONSTR

5909 N 39 Wausau, TEL: 715-FAX: 715-

Wisconsin Acad

LOCATION 8706 Prog Proposed 1105

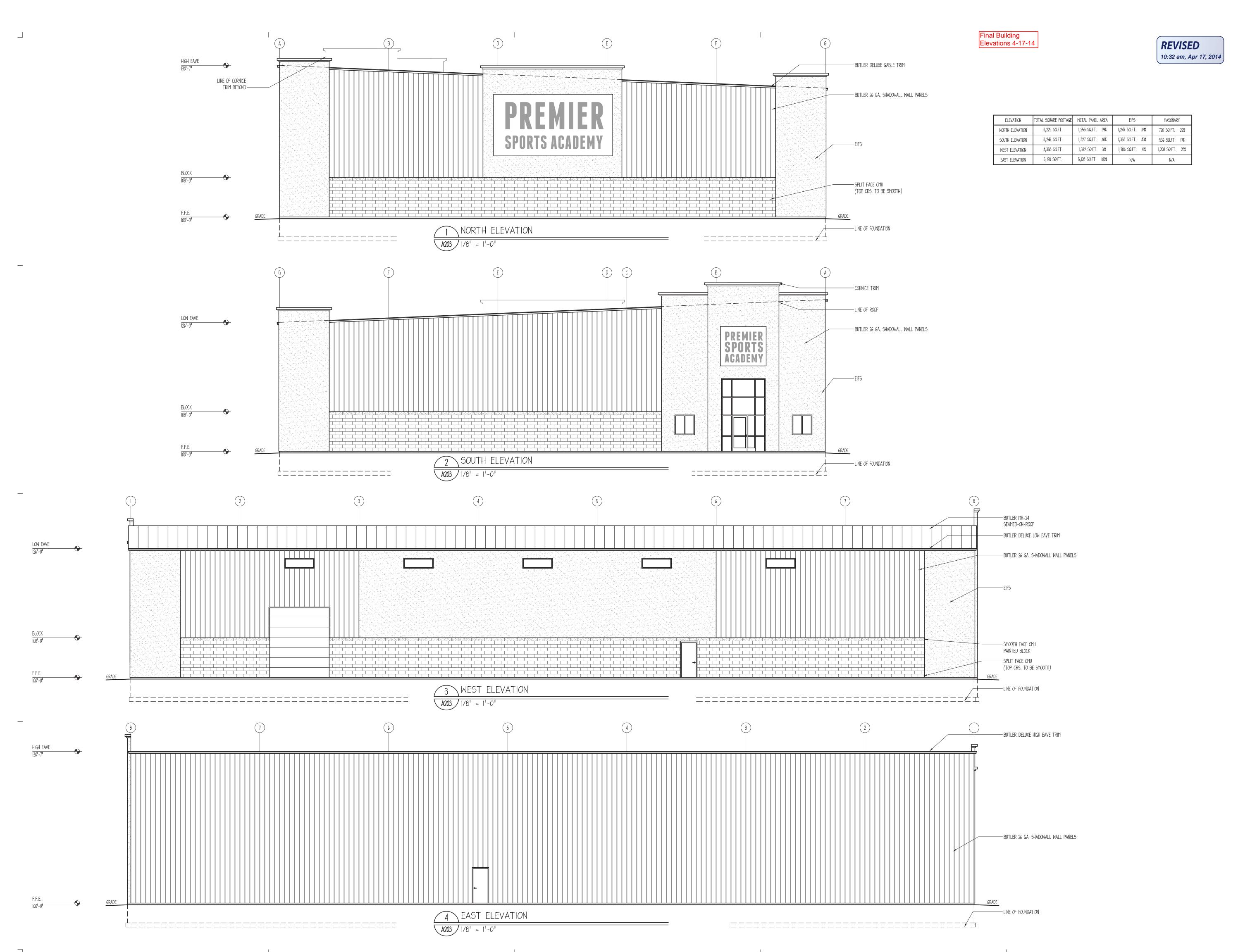
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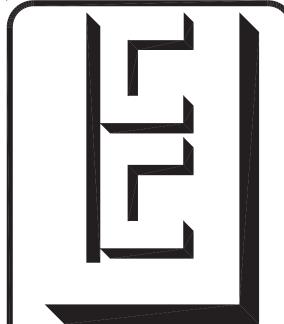
8 Date 0 4-17-2014 Driginal Release

DRAWING #: 14-503 PROJECT #: 14-158 DRAWN BY: KN CHECKED BY:

4/17/2014 8:06 AM

Exterior E





# URBAN CONSTRUCTION COMPANY

----------5909 N 39th Avenue Wausau, WI 54401 TEL: 715-675-9425 FAX: 715-675-9781

Wisconsin Baseball Academy

LOCATION: Weston, WI

8706 Progress Way Proposed 110'x170' Practice Facility

REVI	SIONS:	NO.
#	Date	Description
0	4-17-2014	Original Release
On The Land		
1666		

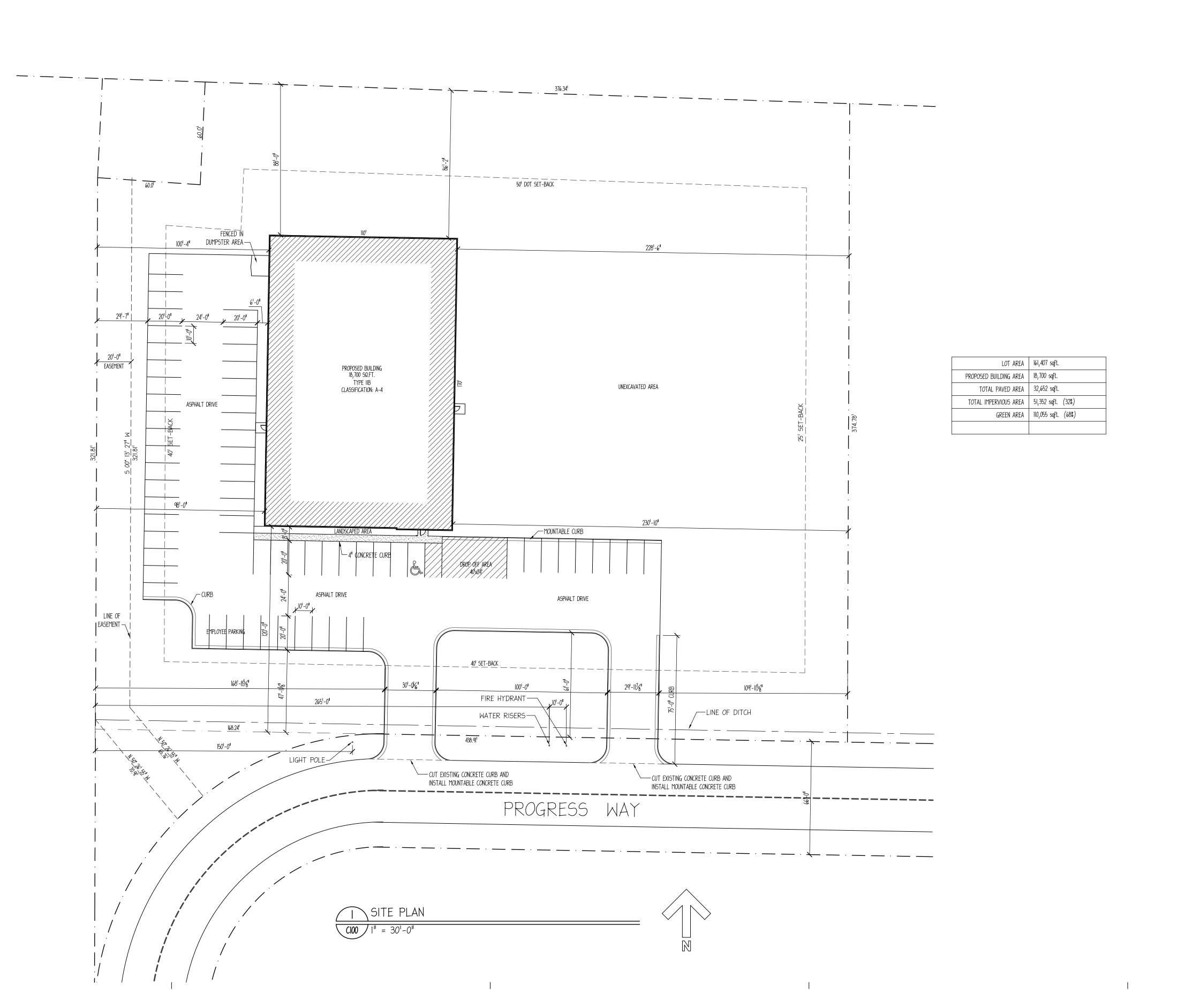
MANA	DRAWING #:	14-503	
	PROJECT#:	14-158	
	DRAWN BY:	KW	
	CHECKED BY:		
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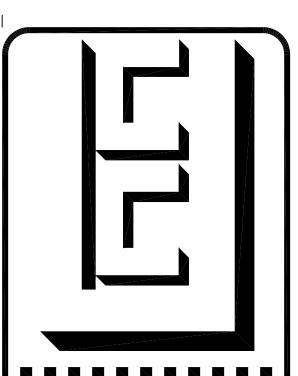
Preliminary 4/17/2014 for Construction

**Exterior Elevations** 

RECEIVED By Valerie Parker at 8:58 am, Apr 09, 2014

# STATE HIGHWAY 29





# URBAN CONSTRUCTION COMPANY

5909 N 39th Avenue Wausau, WI 54401 TEL: 715-675-9425 FAX: 715-675-9781

Wisconsin Baseball Academy

LOCATION:

Weston, WI

8706 Progress Way Proposed 110'x170' Practice Facility

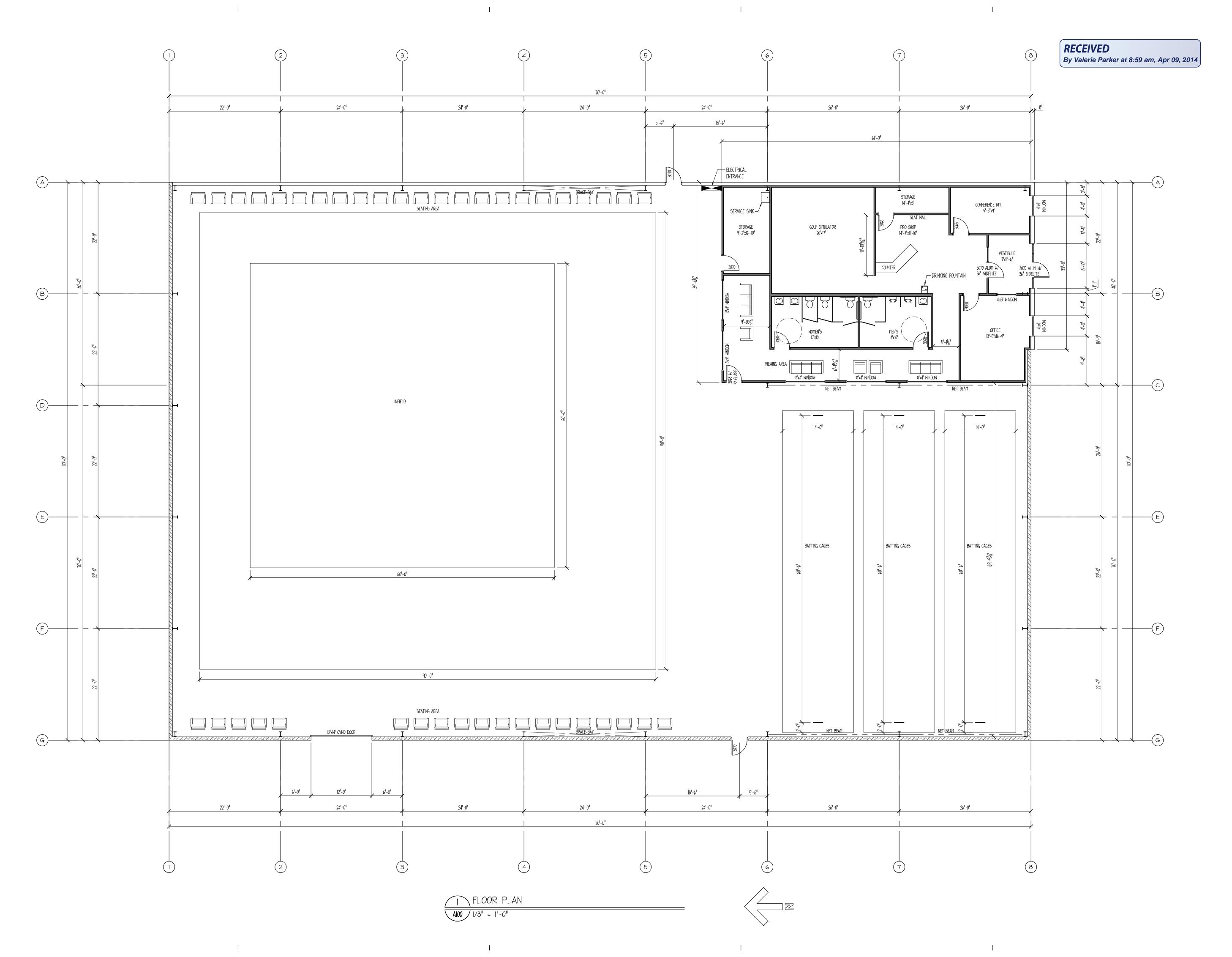
4-1-2014 Original Release		Date
	4-1-2014	4-1-2014 Original Re
4-8-2014 Released for Village Approv	4-8-2014	4-8-2014 Released f

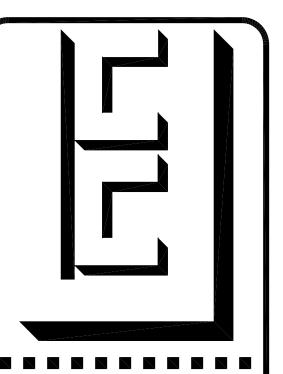
DRAWING #:	14-503		
PROJECT #:	14-158		
DRAWN BY:	KW		
CHECKED BY:			

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PLOT DATE:	Preliminary
4/8/2014 11:20 AM	for Bid

Site Plan





### URBAN CONSTRUCTION COMPANY

5909 N 39th Avenue Wausau, WI 54401 TEL: 715-675-9425 FAX: 715-675-9781

Wisconsin Baseball Academy

LOCATION:

Weston, WI

8706 Progress Way Proposed 110'x170' Practice Facility

CONSULTANT:

REVI	SIONS:	Man
#	Date	Description
0	4-1-2014	Original Release
1	4-7-2014	Released for Village Approval
1	4-8-2014	Released for Village Approval

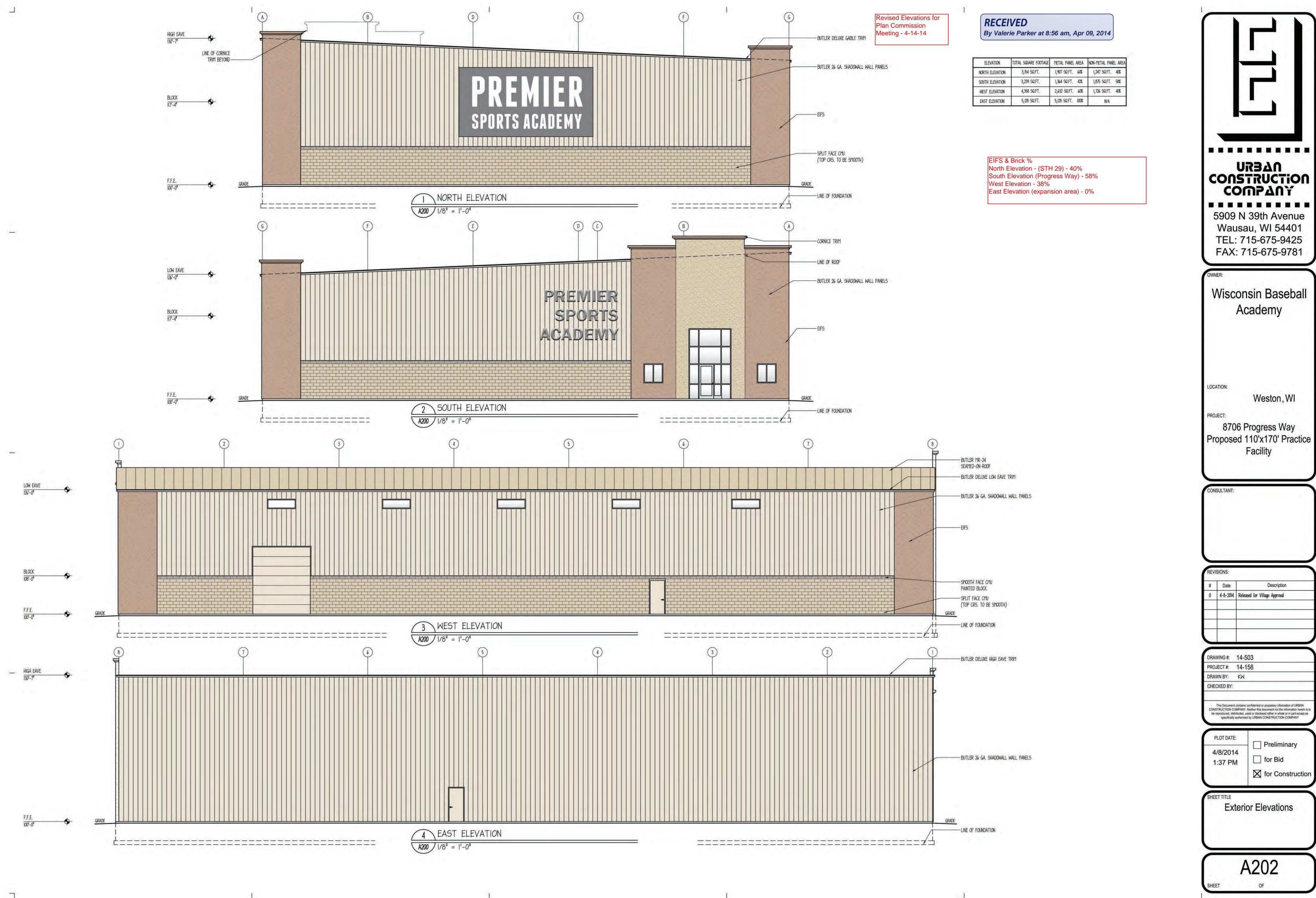
		W/g
DRAWING #:	14-503	
PROJECT #:	14-158	
DRAWN BY:	KW	
CHECKED BY:		

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TEOT DATE.	Preliminary
4/8/2014	
11:13 AM	for Bid
7 11 10 7 11 11	for Constructio

Floor Plan

A100



REVISED 8:49 am, Apr 14, 2014 Revised elevations for Plan Commission Meeting 4-14-14 LINE OF CORNICE TRIM BEYOND — TOTAL SQUARE FOOTAGE METAL PANEL AREA ELEVATION — BUTLER 26 GA. SHADOWALL WALL PANELS 3,154 SQ.FT. 1,907 SQ.FT. 60% 495 SQ.FT. 16% NORTH ELEVATION 752 SQ.FT. 24% 1,365 SQ.FT. 42% 1,295 SQ.FT. 40% 579 SQ.FT. 18% SOUTH ELEVATION WEST ELEVATION 4,358 SQ.FT. 2,708 SQ.FT. 60% 418 SQ.FT. 10% 1,232 SQ.FT. 28% BLOCK 117'-4" 5,128 SQ.FT. 100% 5,128 SQ.FT. EAST ELEVATION N/A — SPLIT FACE CMU (TOP CRS. TO BE SMOOTH) NORTH ELEVATION ----LINE OF FOUNDATION  $A200 | 1/8^{\parallel} = |^{1}-0^{\parallel}$ D (C) -CORNICE TRIM -LINE OF ROOF LOW EAVE 126'-0" — BUTLER 26 GA. SHADOWALL WALL PANELS BLOCK 117'-4" 2 SOUTH ELEVATION ——LINE OF FOUNDATION -BUTLER MR-24 SEAMED-ON-ROOF — BUTLER DELUXE LOW EAVE TRIM — BUTLER 26 GA. SHADOWALL WALL PANELS -SMOOTH FACE CMU PAINTED BLOCK — SPLIT FACE CMU (TOP CRS. TO BE SMOOTH) — LINE OF FOUNDATION L-----— BUTLER DELUXE HIGH EAVE TRIM 4 EAST ELEVATION — LINE OF FOUNDATION 

URBAN CONSTRUCTION COMPANY

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Wisconsin Baseball Academy

LOCATION:

Weston, WI

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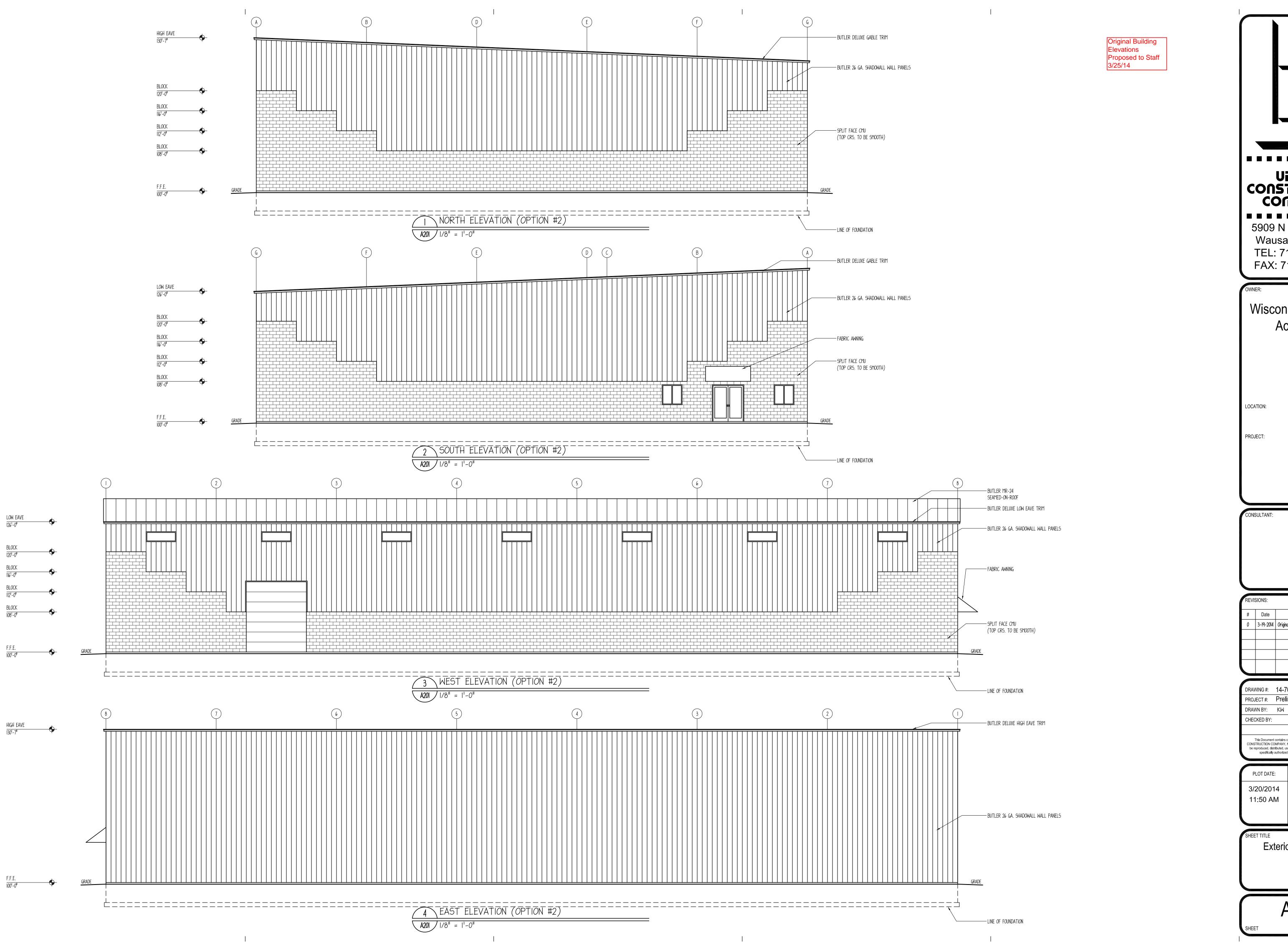
0 | 4-8-2014 | Released for Village Approval

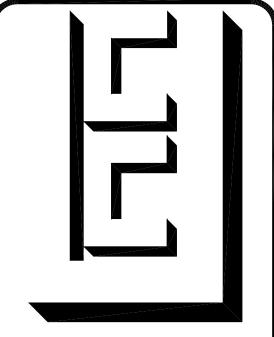
DRAWING #: 14-503 PROJECT #: 14-158 DRAWN BY: KW CHECKED BY:

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PLOT DATE: Preliminary 4/14/2014 for Construction

**Exterior Elevations** 





# UR∃∆N CONSTRUCTION COMP∆NY

5909 N 39th Avenue Wausau, WI 54401 TEL: 715-675-9425 FAX: 715-675-9781

Wisconsin Baseball Academy

Weston, WI

0 3-19-2014 Original Release

DRAWING #: 14-702 PROJECT #: Preliminary

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for Construction

**Exterior Elevations** 

#### LAND PURCHASE AND SALE AGREEMENT

This Land Purchase and Sale Agreement (hereinafter the "Agreement") is dated this \_\_\_\_ day of \_\_\_\_\_, 2014, and is by and between the Village of Weston, a Municipal Corporation of Weston, Wisconsin (hereinafter "SELLER") and Wisconsin Baseball Academy, LLC a Wisconsin Limited Liability Company (hereinafter "BUYER").

WHEREAS, the BUYER wishes to purchase from the SELLER certain real estate owned by the SELLER, to build a baseball facility to be used by Premier Sports Academy, LLC, and the SELLER agrees to sell the same to the BUYER upon the terms, provisions and conditions herein set forth.

NOW, THEREFORE, upon the foregoing premises and for valuable consideration and the mutual covenants of the parties, it is agreed as follows:

1. <u>Agreement to Purchase/Description</u>. The BUYER agrees to buy from the SELLER the following described property located in the Village of Weston, Marathon County, Wisconsin, and described as follows:

Lot 3 of the Plat of Weston Business and Technology Park - South now described as Parcel 1 of Certified Survey Map No. 15096 filed with the Register of Deeds of Marathon County, Wisconsin in Volume 68 Page 18, located in Section Twenty three (23), Township Twenty Eight (28) North, Range Eight (8) East, in the Village of Weston, excluding Outlot 1 which is being split from Parcel 1 and retained by the Village of Weston.

PIN: 19-2808-234-0017

(hereinafter the "Property")

- 2. <u>Purchase Price</u>. Purchase price for the Property consisting of 3.799 acres, more or less, is Sixty-Six Thousand Four Hundred and Eighty-Three Dollars (\$66,483.00), which shall be reduced at closing by a grant in the cash sum of Twenty-Eight Thousand Four Hundred and Ninety-Three Dollars (\$28,493.00)
- 3. <u>Earnest Money/Payment of Purchase Price</u>. Earnest money in the sum of Five Thousand Dollars (\$5,000) shall be paid by BUYER to SELLER upon the signing of this Agreement, and the balance of the purchase price will be paid in cash at closing. If the sale contemplated does not close, the BUYER'S earnest money shall be promptly refunded if the BUYER was not in default.
  - 4. Items Not Included/Included in the Purchase Price. The Property is vacant.
- 5. <u>Property Condition Representations</u>. SELLER represents to BUYER that, as of the date of the Agreement, SELLER has no notice or knowledge of conditions affecting the

property or transaction which would prohibit or interfere with BUYER'S ability to construct and occupy the commercial building or buildings upon the Property and to use the property for BUYER'S intended purpose as reflected on BUYER'S current plans which have been submitted to SELLER.

- 6. <u>Zoning</u>. SELLER represents that the property is zoned LMD, which zoning will permit the BUYER'S intended use as a baseball academy.
  - 7. <u>Contingencies</u>. The Agreement is contingent upon the following:
    - a. **Financing**. This Agreement is contingent upon BUYER receiving on or before May 30, 2014, commitments for the following credit facilities:
      - i. Facility 1: A term loan from Integrity First Bank in an amount not less than \$427,422.00, for a term of not fewer than 129 months at an interest rate of 5.25% fixed for the first 36 months and then at a variable rate of Prime plus 1% thereafter, with payments of interest only during the first 9 months and then payments based on a 20-year amortization thereafter, with a balloon payment at maturity.
      - ii. Facility 2: An SBA 504 10an on an amount not less than \$299,195.00, for a term of not fewer than 240 months at an interest rate of 5.25% fixed, with payments of interest only during the first 9 months and then payments based on a 20-year amortization thereafter.
      - iii. Facility 3: An operating line of credit from Integrity First Bank to Wisconsin Baseball Academy, LLC in an amount not less than \$25,000.
    - b. **Closing of Financing**. This Agreement is contingent upon each of the 3 credit facilities set forth above actually closing and funding prior to or contemporaneously with the closing of the purchase of the Property. This contingency shall not be satisfied in the event any of said 3 credit facilities fails to close for any reason other than BUYER refusing to consummate the closing on the terms as set forth herein above.
    - c. **Appraisal**. This Agreement is contingent upon BUYER obtaining at its cost and expense an appraisal prior to May 30, 2014 indicating that upon completion the indoor sports facility as constructed on the Property, and including the equipment and fixtures, shall have a value of not less than \$875,000.
    - d. **Sub-Soils Evaluation**. This Agreement is contingent upon BUYER, at is cost and expense, on or before May 30, 2014, obtaining a report from a qualified soils expert showing the soils and sub-soils on the Property to be of a quality and nature that Buyer can construct its intended facility (including future expansion) in the manner and at the location as indicated on Buyer's proposed site plan at ordinary cost and without need for additional expense.

- e. **Documents, Reports, Etc.** On or before May 30, 2014, SELLER shall provide to BUYER at SELLER'S cost and expense copies of any and all environmental studies, screenings, evaluations and reports, soils studies, evaluations and reports, maps, surveys and wetland delineations that are currently in SELLER's possession for the Property.
- f. **State Plan Approval**. This Agreement is contingent upon BUYER receiving state approval of its plans without need for sprinkler fire protection on or before May 30, 2014.
- g. **Environmental Site Assessment**. This Agreement is contingent upon BUYER obtaining at its cost and expense on or before May 30, 2014, an environmental site assessment report satisfactory to BUYER, Integrity First Bank and the United States Small Business Administration, showing the Property to be free from "recognized environmental conditions."
- h. **Verification of Vehicular Access Location**. This Agreement is contingent upon BUYER obtaining verification on or before May 30, 2014 that vehicular access will be granted at the location indicated on BUYER'S initial site plan, or at such other location as BUYER may subsequently agree to.
- i. **Site Plan Approval**. This Agreement is contingent on BUYER obtaining approval from the Weston Plan Commission of its site plan for the Property on or before May 30, 2014.
- 8. <u>Time is of the Essence</u>. Time is of the essence as to occupancy, date of closing and all other dates and deadlines contained in the Agreement, including but not limited to construction obligations and repurchase rights contained herein. Provided, however, in any instance where the performance of an act is required within a specified time or by a specified date, strict compliance within the specified time shall be extended if the delay or inability to perform is caused by strike, inability to procure materials or labor, riots, national or public emergencies, acts of God, government laws or regulations or other causes beyond the parties' control.
- 9. <u>Additional Provisions/Conditions</u>. The Agreement and the sale of the Property to BUYER is subject to the following terms and conditions:
  - a. The BUYER shall construct facilities for the baseball academy upon the Property which shall have a minimum floor space of 18,700 square feet. Said building shall be constructed in conformity with plans to be approved by SELLER. Said building shall be completed and ready for occupancy on or before \_\_\_\_\_\_.
    - i. BUYER's Construction Obligations.

BUYER shall promptly begin, diligently pursue and ultimately complete construction of the building on the Property pursuant to plans approved by SELLER.

In the event construction of the 18,700 square foot building upon the Property has not been completed by \_\_\_\_\_\_\_, SELLER shall have the option of repurchasing the Property from the BUYER. To exercise a repurchase option, the SELLER shall provide written notice of exercise of option to BUYER at BUYER'S last known address, which notice shall include the date of repurchase closing. Notice shall be deemed to be received two days after deposit of the notice, postage prepaid, in the US Mail. Repurchase price shall be the sum of \$17,500 per acre less any sums of money paid to BUYER by SELLER or credited to BUYER pursuant to the Development Grant Agreement which is attached hereto and marked ADDENDA A. Development Grant Funds shall be prorated based upon the acreage which is subject to repurchase plus any income tax that BUYER had to pay on the Development Grant Funds prorated to each acre repurchased.

If after commencing construction work on the Property, construction ceases for a period of 180 consecutive days at any time before the completion of construction as provided in BUYER'S approved plans, the SELLER shall have the option to repurchase the Property. To exercise such option the SELLER shall provide BUYER with notice as set forth above. Repurchase shall occur within sixty (60) days of notice of the date specified in the notice.

If BUYER does not complete construction of the building as described in the approved plans and obtain an occupancy permit for the building constructed by \_\_\_\_\_\_, the SELLER shall have the option to repurchase the Property. To exercise this option, SELLER shall provide written notice of exercise of the option. The repurchase shall occur within sixty (60) days of receipt of notice.

#### ii. Terms of Repurchase.

If the SELLER exercises any of the options described hereinabove, at repurchase closing the BUYER shall tender a warranty deed free and clear of all liens and encumbrances except municipal and zoning ordinances, recorded easements for public utilities and covenants approved by the SELLER in exchange for a sum equal to BUYER'S purchase price for the Property, less any unpaid real estate taxes, the proration of the then current year's real estate taxes, title insurance, all transactional closing expenses, and any sums paid by SELLER to BUYER or credited to BUYER pursuant to the Development Grant Agreement described in ADDENDA A attached hereto and prorated as described herein above.

In the event of repurchase as provided in this paragraph, BUYER shall also be liable to the SELLER for all reasonable costs and expenses incurred in retaking and restoring the Property to a marketable condition, and such costs and expenses shall be deducted from the amount of the purchase price paid to the BUYER. BUYER shall be deemed to consent to enforcement of the options described herein on the above terms by specific performance.

#### iii. Right of First Refusal to Repurchase Vacant Land

In the event that BUYER shall wish to convey any vacant portion of the Property being purchased at any time within three (3) years of closing, it shall first give the SELLER the right to purchase the vacant site at BUYER'S original purchase price and on the same terms and conditions as BUYER'S purchase, less any sums paid by SELLER to BUYER or credited to BUYER pursuant to the Development Grant Agreement marked ADDENDA A attached hereto. Within thirty (30) days of receipt of written notice that BUYER wishes to convey the vacant property or any part thereof, SELLER shall notify BUYER of its decision concerning repurchase. If SELLER decides to repurchase, closing shall occur within sixty (60) days of BUYER'S receipt of notice. If the repurchase is for a portion of the site, the purchase price shall be prorated to reflect the total square footage of the vacant site as compared to the total original square footage of the site purchased by BUYER, less any prorated credits or grants paid to BUYER pursuant to ADDENDA A attached hereto.

- b. As an inducement to BUYER to purchase the Property and locate its business thereon in accordance with the requirements of the Agreement, the SELLER shall provide to BUYER the sums of money in the form of development grants which sums shall be paid in the manner and form set forth on separate "Development Grant Agreement," a copy of which is attached hereto and made a part hereof as ADDENDA A.
- c. SELLER represents and warrants that it has no knowledge of any dumping or disposal upon the Property of any hazardous substances or hazardous wastes and agrees to indemnify the BUYER from any claims made against the BUYER by any other party as to such condition existing prior to the date of closing.
- d. Each of the parties shall bear their own costs in the negotiation and preparation of the Agreement.
- e. The Agreement contains continuing obligations of the parties and, therefore, shall not be merged at the time of closing, but shall survive the closing.
- f. SELLER represents and warrants that it has not listed the property with any real estate broker and that the sale of the Property to BUYER will not give rise to any claim for a fee or commission by any real estate broker.

- 10. <u>Delivery of Documents and Written Notices</u>. Unless otherwise stated in the Agreement, delivery of documents and written notices to a party shall be effective only when accomplished in any of the following ways:
  - a. By depositing the document or written notice, postage or fees prepaid in the US Mail or a commercial delivery system addressed to the party at:

BUYER: Wisconsin Sports Properties, LLC

c/o Eric Greening 2103 Dorie Lane Mosinee, WI 54455

SELLER: Village of Weston

c/o Village Administrator Weston Municipal Center 5500 Schofield Ave. Weston, WI 54476

- b. By giving the document or written notice personally to the party. Facsimile signatures shall constitute original signatures under the Agreement.
- 11. <u>Closing</u>. This transaction is to be closed at the offices of Strasser & Yde, S.C., 305 S. 18<sup>th</sup> Ave. Suite 210 on or before the 30<sup>th</sup> day of May, 2014 unless another date or place is agreed to in writing. SELLER shall pay for all routine closing costs.
- 12. <u>Closing Preparations</u>. Real estate taxes, if any, shall be prorated at the time of closing based upon the real estate taxes for the current year, if known, otherwise on the net general real estate taxes for the preceding year.
- 13. <u>Special Assessments</u>. Special assessments, if any, for work on site actually commenced or levied prior to the date of the Agreement shall be paid by SELLER no later than closing. All other special assessments shall be paid by BUYER.
- 14. Form of Title Evidence. SELLER shall give evidence of title by an owner's policy of title insurance in the amount of the purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. SELLER shall pay all costs of providing title evidence. For purposes of closing, title evidence shall be acceptable if the abstract or a commitment for the required title insurance is delivered to BUYER'S attorney or to BUYER not less than three (3) business days before closing, showing title to the Property as of the date nor more than fifteen (15) days before delivery of such title evidence to be merchantable, subject only to liens which will be paid out of the proceeds, subject to the restrictive covenants contained herein and further subject to the standard title insurance requirements and exceptions as appropriate or as approved by BUYER. If title is not acceptable for closing, BUYER shall notify SELLER in writing of objections to title by the time set for closing. In such event, SELLER shall have a reasonable time, but not exceeding fifteen (15) days to remove the objections, and the time for closing shall be extended as necessary for this purpose. In the event that SELLER is

unable to remove said objections, BUYER shall have five (5) days from receipt of notice thereof, to deliver written notice waiving the objections and the time for closing shall be extended accordingly. If BUYER does not waive the objections, the Agreement shall be null and void.

- 15. Conveyance of Title. Upon payment of the purchase price, SELLER shall convey the Property by Warranty Deed free and clear of all liens and encumbrances except: municipal and zoning ordinances and agreements entered under them; recorded easements for distribution of utility and municipal services; recorded building and use restrictions; which constitute merchantable title for purposes of this transaction. The SELLER further agrees to complete and execute the documents necessary to record the conveyance.
- 16. <u>Restrictions Against Assignment</u>. The Agreement may not be transferred or assigned by BUYER without the express written consent of SELLER. At closing, the parties shall execute a Memorandum in recordable form to accurately reflect the continuing obligations affecting the Property.
- 17. <u>Entire Contract</u>. This Agreement, including ADDENDA A, contains the entire agreement of the parties regarding this transaction. All prior negotiations and discussions have been merged into this Agreement. This Agreement binds and insures to the benefit of the parties to this Agreement and their successors in interest.

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be signed the date and year first above written.

## VILLAGE OF WESTON

By:		WISCONSIN SPORTS PROPERTIES, LLC
٠	Loren White, President	
Ву:	Daniel Guild, Administrator	By:Eric Greening, Member
Attest:	: Sherry Weinkauf, Village Clerk	

#### ADDENDA A

# **DEVELOPMENT GRANT AGREEMENT**

THIS AGREEMENT is entered into this \_\_\_\_ day of April, 2014, and is by and between the Village of Weston, a Municipal Corporation of Marathon County, Wisconsin (hereinafter the "VILLAGE"), and Wisconsin Baseball Academy, LLC, a Wisconsin Limited Liability Corporation (hereinafter "WISCONSIN BASEBALL").

WHEREAS, the parties hereto have on this date signed a Land Purchase and Sale Agreement (hereinafter the "Agreement") whereby WISCONSIN BASEBALL is purchasing from the VILLAGE a parcel of land located in the Weston Business Park (hereinafter the "Property") pursuant to certain terms, provisions and conditions contained in the Agreement, a copy of which is incorporated herein by reference; and

WHEREAS, as an inducement to WISCONSIN BASEBALL to develop the Property being purchased in a timely manner and to locate its business in the Weston Business Park, the VILLAGE agrees to give and grant to WISCONSIN BASEBALL development grants of the form and nature set forth herein.

NOW, THEREFORE, upon the foregoing premises and upon the covenants of the parties set forth in the Agreement described hereinabove, it is agreed as follows:

- 1. At the time of closing the VILLAGE shall provide to WISCONSIN BASEBALL a grant to help defray the purchase price of the Property in the cash sum of Twenty-Eight Thousand Four Hundred and Ninety-Three Dollars (\$28,493.00).
- 2. The VILLAGE will allow WISCONSIN BASEBALL to remove, at its expense, at least 1,899.5 cubic yards of fill to be used to develop the Property. The fill is at the VILLAGE'S Ryan Street site. Arrangements to remove this fill must be coordinated with Weston Public Works Deputy Director Michael Wodalski. The VILLAGE estimates the value of the material to be between \$3.50 and \$5.00 per cubic yard. Requests for additional fill will be made to Mr. Wodalski who will determine the amount of excess fill that may be removed by WISCONSIN BASEBALL.

It is understood and agreed that the foregoing grants are subject to and in consideration for the full compliance by WISCONSIN BASEBALL of all of the terms, provisions and conditions contained in the Agreement.

IN WITNESS WHEREOF, the parties hereto caused this grant agreement to be signed the date and year first above written.

VILLAGE OF WESTON	WISCONSIN BASEBALL ACADEMY, LLC	
By:		
Loren White, President	By: Eric Greening, Member	
By: Daniel Guild, Administrator		
Attest: Sherry Weinkauf, Village Clerk		

#### LAND PURCHASE AND SALE AGREEMENT

THIS Land Purchase and Sale Agreement (hereinafter the "Agreement") is dated this \_\_\_\_ day of \_\_\_\_\_\_, 2014, and is by and between the Village of Weston, a municipal corporation of Weston, Wisconsin (hereinafter "SELLER") and TJH Real Estate, LLC. (hereinafter "BUYER").

WHEREAS, the BUYER wishes to purchase from the SELLER certain real estate owned by the SELLER, to build an office building to be used by WJ Higgins & Associates, Inc., and the SELLER agrees to sell the same to the BUYER upon the terms, provisions and conditions herein set forth.

NOW, THEREFORE, upon the foregoing premises and for valuable consideration and the mutual covenants of the parties, it is agreed as follows:

1. <u>Agreement to Purchase/Description</u>. The BUYER agrees to buy from the SELLER the following described property located in the Village of Weston, Marathon County, Wisconsin, and described as follows:

Lot two (2) of WESTON BUSINESS & TECHNOLOGY PARK – SOUTH, in the Village of Weston, Marathon County, Wisconsin, consisting of 2.661 acres; subject to easements and restrictions of record. PIN: 192-2808-234-0016

(hereinafter the "Property")

- 2. <u>Purchase Price</u>. Purchase price for the Property consisting of 2.661 acres, more or less, is Forty-Six Thousand Five Hundred Sixty-Eight Dollars (\$46,568.00), which will be reduced to \$26,610 after application of the grant referenced in Addenda A.
- 3. <u>Earnest Money/Payment of Purchase Price</u>. Earnest money in the sum of Five Thousand Dollars (\$5,000) shall be paid by BUYER to SELLER upon the signing of this Agreement, and the balance of the purchase price will be paid in cash at closing. If the sale contemplated does not close, the BUYER'S earnest money shall be promptly refunded if the BUYER was not in default.
  - 4. <u>Items Not Included/Included in the Purchase Price</u>. The Property is vacant.
- 5. <u>Property Condition Representations</u>. SELLER represents to BUYER that, as of the date of the Agreement, SELLER has no notice or knowledge of conditions affecting the property or transaction which would prohibit or interfere with BUYER'S ability to construct and occupy the commercial building or buildings upon the Property and to use the property for BUYER'S intended purpose as reflected on BUYER'S current plans which have been submitted to SELLER.
  - 6. Zoning. SELLER represents that the property is zoned LMD, which zoning will

permit the BUYER'S intended use as an office building.

- 7. <u>Contingencies</u>. The Agreement is contingent upon the following:
  - a. BUYER obtaining satisfactory financing for the purchase of the property and construction of the office and provides proof to the SELLER of same on or before June 1, 2014.
  - b. BUYER obtaining approval from the Weston Plan Commission of its site plan for the Property on or before June 1, 2014.
  - c. BUYER notifying SELLER that internet access is satisfactory to BUYER on or before June 1, 2014.
- 8. <u>Time is of the Essence</u>. Time is of the essence as to occupancy, date of closing and all other dates and deadlines contained in the Agreement, including but not limited to construction obligations and repurchase rights contained herein. Provided, however, in any instance where the performance of an act is required within a specified time or by a specified date, strict compliance within the specified time shall be extended if the delay or inability to perform is caused by strike, inability to procure materials or labor, riots, national or public emergencies, acts of God, government laws or regulations or other causes beyond the parties' control.
- 9. <u>Additional Provisions/Conditions</u>. The Agreement and the sale of the property to BUYER is subject to the following terms and conditions:
  - a. The BUYER shall construct an office building upon the Property which shall have a minimum floor space of 6,200 square feet. Said building shall be constructed in conformity with plans to be approved by SELLER. Said building shall be completed and ready for occupancy on or before September 1, 2014.
    - i. BUYER's Construction Obligations.

BUYER shall promptly begin, diligently pursue and ultimately complete construction of the building on the Property pursuant to plans approved by SELLER.

In the event construction of the 6,200 square foot building upon the Property has not been completed by June 1, 2015, SELLER shall have the option of repurchasing the Property from the BUYER. To exercise a repurchase option, the SELLER shall provide written notice of exercise of option to BUYER at BUYER'S last known address, which notice shall include the date of repurchase closing. Notice shall be deemed to be received two days after deposit of the notice, postage prepaid, in the US Mail. Repurchase price shall be the sum of \$17,500 per acre less any sums of money paid to BUYER by SELLER or credited to BUYER pursuant to the Development Grant Agreement which is attached hereto and marked

ADDENDA A. Development Grant Funds shall be prorated based upon the acreage which is subject to repurchase plus any income tax that buyer had to pay on the Development Grant Funds prorated to each acre repurchased.

If after commencing construction work on the Property, construction ceases for a period of 180 consecutive days at any time before the completion of construction as provided in BUYER'S approved plans, the SELLER shall have the option to repurchase the Property. To exercise such option the SELLER shall provide BUYER with notice as set forth above. Repurchase shall occur within sixty (60) days of notice of the date specified in the notice.

If BUYER does not complete construction of the building as described in the approved plans and obtain an occupancy permit for the building constructed by June 1, 2015, the SELLER shall have the option to repurchase the property. To exercise this option, SELLER shall provide written notice of exercise of the option. The repurchase shall occur within sixty (60) days of receipt of notice.

### ii. Terms of Repurchase.

If the SELLER exercises any of the options described hereinabove, at repurchase closing the BUYER shall tender a warranty deed free and clear of all liens and encumbrances except municipal and zoning ordinances, recorded easements for public utilities and covenants approved by the SELLER in exchange for a sum equal to BUYER'S purchase price for the property, less any unpaid real estate taxes, the proration of the then current year's real estate taxes, title insurance, all transactional closing expenses, and any sums paid by SELLER to BUYER or credited to BUYER pursuant to the Development Grant Agreement described in ADDENDA A attached hereto and prorated as described herein above.

In the event of repurchase as provided in this paragraph, BUYER shall also be liable to the SELLER for all reasonable costs and expenses incurred in retaking and restoring the Property to a marketable condition, and such costs and expenses shall be deducted from the amount of the purchase price paid to the BUYER. BUYER shall be deemed to consent to enforcement of the options described herein on the above terms by specific performance.

### iii. Right of First Refusal to Repurchase Vacant Land

In the event that BUYER shall wish to convey any vacant portion of the property being purchased at any time within three (3) years of closing, it shall first give the SELLER the right to purchase the vacant site at BUYER'S original purchase price and on the same terms and conditions

as BUYER'S purchase, less any sums paid by SELLER to BUYER or credited to BUYER pursuant to the Development Grant Agreement marked ADDENDA A attached hereto. Within thirty (30) days of receipt of written notice that BUYER wishes to convey the vacant property or any part thereof, SELLER shall notify BUYER of its decision concerning repurchase. If SELLER decides to repurchase, closing shall occur within sixty (60) days of BUYER'S receipt of notice. If the repurchase is for a portion of the site, the purchase price shall be prorated to reflect the total square footage of the vacant site as compared to the total original square footage of the site purchased by BUYER, less any prorated credits or grants paid to BUYER pursuant to ADDENDA A attached hereto.

- b. As an inducement to BUYER to purchase the Property and locate its business thereon in accordance with the requirements of the Agreement, the SELLER shall provide to BUYER the sums of money in the form of development grants which sums shall be paid in the manner and form set forth on separate "Development Grant Agreement," a copy of which is attached hereto and made a part hereof as ADDENDA A.
- c. SELLER represents and warrants that it has no knowledge of any dumping or disposal upon the Property of any hazardous substances or hazardous wastes and agrees to indemnify the BUYER from any claims made against the BUYER by any other party as to such condition existing prior to the date of closing.
- d. Each of the parties shall bear their own costs in the negotiation and preparation of the Agreement.
- e. The Agreement contains continuing obligations of the parties and, therefore, shall not be merged at the time of closing, but shall survive the closing.
- f. SELLER represents and warrants that it has not listed the property with any real estate broker and that the sale of the Property to BUYER will not give rise to any claim for a fee or commission by any real estate broker.
- g. BUYER acknowledges and is aware of the fact that a part of the property being purchased contains wetlands.
- 10. <u>Delivery of Documents and Written Notices</u>. Unless otherwise stated in the Agreement, delivery of documents and written notices to a party shall be effective only when accomplished in any of the following ways:
  - a. By depositing the document or written notice, postage or fees prepaid in the US Mail or a commercial delivery system addressed to the party at:

BUYER: TJH Real Estate, LLC Jodie Higgins 6245 Packer Drive Wausau, WI 54401

SELLER: Village of Weston

c/o Village Administrator Weston Municipal Center 5500 Schofield Ave. Weston, WI 54476

- b. By giving the document or written notice personally to the party. Facsimile signatures shall constitute original signatures under the Agreement.
- 11. <u>Closing</u>. This transaction is to be closed at the offices of Strasser & Yde, S.C., 305 S. 18<sup>th</sup> Ave. Suite 210 on or before the 30<sup>th</sup> day of April, 2014 unless another date or place is agreed to in writing. SELLER shall pay for all routine closing costs.
- 12. <u>Closing Preparations</u>. Real estate taxes, if any, shall be prorated at the time of closing based upon the real estate taxes for the current year, if known, otherwise on the net general real estate taxes for the preceding year.
- 13. <u>Special Assessments</u>. Special assessments, if any, for work on site actually commenced or levied prior to the date of the Agreement shall be paid by SELLER no later than closing. All other special assessments shall be paid by BUYER.
- Form of Title Evidence. SELLER shall give evidence of title by an owner's policy of title insurance in the amount of the purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. SELLER shall pay all costs of providing title evidence. For purposes of closing, title evidence shall be acceptable if the abstract or a commitment for the required title insurance is delivered to BUYER'S attorney or to BUYER not less than three (3) business days before closing, showing title to the property as of the date nor more than fifteen (15) days before delivery of such title evidence to be merchantable, subject only to liens which will be paid out of the proceeds, subject to the restrictive covenants contained herein and further subject to the standard title insurance requirements and exceptions as appropriate or as approved by BUYER. If title is not acceptable for closing, BUYER shall notify SELLER in writing of objections to title by the time set for closing. In such event, SELLER shall have a reasonable time, but not exceeding fifteen (15) days to remove the objections, and the time for closing shall be extended as necessary for this purpose. In the event that SELLER is unable to remove said objections, BUYER shall have five (5) days from receipt of notice thereof, to deliver written notice waiving the objections and the time for closing shall be extended accordingly. If BUYER does not waive the objections, the Agreement shall be null and void.
- 15. <u>Conveyance of Title</u>. Upon payment of the purchase price, SELLER shall convey the property by Warranty Deed free and clear of all liens and encumbrances except: municipal and zoning ordinances and agreements entered under them; recorded easements for distribution of utility and municipal services; recorded building and use restrictions; which constitute merchantable title for purposes of this transaction. The SELLER further agrees to complete and execute the documents necessary to record the conveyance.

- 16. <u>Restrictions Against Assignment</u>. The Agreement may not be transferred or assigned by BUYER without the express written consent of SELLER. At closing, the parties shall execute a Memorandum in recordable form to accurately reflect the continuing obligations affecting the Property.
- 17. <u>Entire Contract</u>. This Agreement, including ADDENDA A, contains the entire agreement of the parties regarding this transaction. All prior negotiations and discussions have been merged into this Agreement. This Agreement binds and insures to the benefit of the parties to this contract and their successors in interest.

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be signed the date and year first above written.

VILLA	IGE OF WESTON	TJH Real Estate, LLC	
•	Loren White, President	By:	
		Jodie Higgins	
Ву:	Daniel Guild, Administrator		
Attest:	Sherry Weinkauf, Village Clerk		

#### ADDENDA A

### **DEVELOPMENT GRANT AGREEMENT**

THIS AGREEMENT is entered into this \_\_\_\_ day of April, 2014, and is by and between the Village of Weston, a municipal corporation of Marathon County, Wisconsin (hereinafter the "VILLAGE"), and TJH Real Estate, LLC, a Wisconsin corporation (hereinafter "TJH").

WHEREAS, the parties hereto have on this date signed a Land Purchase and Sale Agreement (hereinafter the "Agreement") whereby TJH is purchasing from the VILLAGE a parcel of land located in the Weston Business Park (hereinafter the "Property") pursuant to certain terms, provisions and conditions contained in the Agreement, a copy of which is incorporated herein by reference; and

WHEREAS, as an inducement to TJH to develop the Property being purchased in a timely manner and to locate its business in the Weston Business Park, the VILLAGE agrees to give and grant to TJH development grants of the form and nature set forth herein.

NOW, THEREFORE, upon the foregoing premises and upon the covenants of the parties set forth in the Agreement described hereinabove, it is agreed as follows:

- 1. At the time of closing the VILLAGE shall provide to TJH a grant to help defray the purchase price of the Property in the cash sum of Nineteen Thousand Nine Hundred Fifty-Eight Dollars (\$19,958.00).
- 2. The VILLAGE will provide TJH with updated wetland delineation survey records and pay for an updated wetland delineation survey of the Property.
- 3. The VILLAGE will allow TJH to remove, at its expense, at least 1,330.5 cubic yards of fill to be used to develop the Property. The fill is at the VILLAGE's Ryan Street site. Arrangements to remove this fill must be coordinated with Weston Public Works Deputy Director Michael Wodalski. The VILLAGE estimates the value of the material to be between \$3.50 and \$5.00 per cubic yard. Requests for additional fill will be made to Mr. Wodalski who will determine the amount of excess fill that may be removed by TJH.
- 4. The VILLAGE will arrange for the installation of a high speed business cable to the parcel at the VILLAGE'S expense on or before September 1, 2014.

It is understood and agreed that the foregoing grants are subject to and in consideration for the full compliance by TJH of all of the terms, provisions and conditions contained in the Agreement.

IN WITNESS WHEREOF, the parties hereto caused this grant agreement to be signed the date and year first above written.

VILLAGE OF WESTON	TJH Real Estate, LLC
By: Loren White, President	By:
By: Daniel Guild, Administrator	
Attest: Sherry Weinkauf, Village Clerk	



305 South 18th Avenue • Suite 210 • P.O. Box 1323 • Wausau, Wisconsin 54402-1323
Phone 715-845-7800 • Fax 715-845-7805

April 14, 2014

Commerce Real Estate, LLC c/o Anthony P. Morice, Jr. 2200 Lupine Street Wausau, Wisconsin 54401

Re: Notice of Exercise of Option to Repurchase Commerce Drive Property

Lot 1, First Addition to Weston Business Park

Dear Mr. Morice:

I represent the Village of Weston. The Village sold a vacant lot to Commerce Real Estate, LLC pursuant to an April 27, 2006 Land Purchase and Sale Agreement. The Agreement has a repurchase provision that states as follows:

In the event that construction of the 30,000 square foot building upon the premises has not been completed within eighteen (18) months from the date of this contract, then the SELLER shall have the option of repurchasing the site from the BUYER. To exercise a re-purchase option, the SELLER shall provide written notice of exercise of option to BUYER at BUYER's last known address, which notice shall include the date of repurchase closing. Notice shall be deemed to be received two days after deposit of the notice, postage prepaid, in the U.S. Mail. Repurchase price shall be the sum of Five Thousand Two Hundred Eighty-Three and no/100 Dollars (\$5,283.00) per acre.

Since Commerce Real Estate, LLC did not complete construction of the 30,000 square foot building by October 27, 2007, the Village has decided to exercise its option to repurchase the lot. This letter is written notice of the Village's exercise of the option to repurchase. The repurchase price is \$5,283 per acre, or \$44,998.48 based on the lot size of 8.5176 acres.

Repurchase closing shall take place on May 16, 2014 at 9:00 a.m. at the Strasser & Yde, S.C. Law Firm at 305 S. 18<sup>th</sup> Avenue, Suite 210. Please provide me with the contact information for the person that you would like me to work with to accomplish this repurchase.

Very truly,

Matthew E. Yde

Strasser & Yde, S.C.

MEY:jmw

cc: Daniel Guild